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**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**SUPPORTING DOCUMENT**

**S U B J E C T: Approval of July 13, 2015**

**SPCSA Board Meeting Minutes**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  x/  </u>	Action

MEETING DATE: August 24, 2015

AGENDA ITEM: 2

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S): Kathleen Conaboy, Chair, State Public Charter School Authority**

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**FISCAL IMPACT:**

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**BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):**

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**LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 10 mins**

**SUBMITTED BY:** \_\_\_\_\_

# **NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**July 13, 2015**

Nevada Department of Education  
Conference Room  
9890 South Meadows Parkway  
Las Vegas, Nevada

And

Nevada Department of Education  
700 East 5<sup>th</sup> Street  
Room 2135  
Carson City, Nevada

## **MINUTES OF THE MEETING**

### **BOARD MEMBERS PRESENT:**

#### **In Las Vegas:**

Kathleen Conaboy  
Robert McCord  
Michael Van  
Melissa Mackedon

#### **In Carson City:**

None

### **BOARD MEMBERS ABSENT**

Nora Luna  
Elissa Wahl  
Marc Abelman (left half way through meeting)

### **AUTHORITY STAFF PRESENT:**

#### **In Las Vegas:**

Patrick Gavin, Director, State Public Charter School Authority  
Joan Jurgensen, Education Program Professional, State Public Charter School Authority  
Nya Berry, Education Programs Professional, State Public Charter School Authority  
Traci House, Business Process Analyst, State Public Charter School Authority

#### **In Carson City:**

Jessica Hoban, Administrative Services Officer, State Public Charter School Authority  
Angela Blair, Education Program Professional, State Public Charter School Authority  
Kathy Robson, Education Program Professional, State Public Charter School Authority  
Katie Higday, Management Analyst, State Public Charter School Authority  
Danny Peltier, Administrative Assistant, State Public Charter School Authority

**LEGAL STAFF PRESENT:**

**In Carson City:**

Greg Ott, Deputy Attorney General

**AUDIENCE IN ATTENDANCE:**

**In Las Vegas:**

Attendance Sheet Attached

**In Carson City:**

Attendance Sheet Attached

**CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE; APPROVAL OF AGENDA**

President Conaboy called the meeting to order at 9:05am with attendance as reflected above.

Member McCord asked for a motion for a flexible agenda. Chair Conaboy agreed and called for a motion for a flexible agenda. Member Van motioned for flexible agenda, Member McCord seconded. There was no further discussion. The motion carried unanimously.

**Agenda Item 1 - Public Comment**

Laura Feinman, representative of Charter Schools Development Corporation, spoke in support of the Founders Academy agenda item. She also wanted to inform the Authority that her organization was entering the Nevada market. Their mission is to assist charter schools with the acquisition of facilities. They have different programs to assist schools in development, purchasing and financing of charter facilities.

Chair Conaboy also said that Agenda Item 7 and 14 would be moved to the August board meeting

**Agenda Item 5 - Overview and Update of SPCSA and NDE progress on submission of the 2015 Federal CSP**

Director Gavin explained the process of submitting an application for the Federal CSP grant. Nevada had received the grant in the past, but had been passed over recently. He explained the CSP grant dollars would be used for startup costs for charter schools. He said the money could be used for training, professional development, and curriculum costs. The federal grant is not allowed to be used for facilities costs however.

**Agenda Item 9 - Consideration of Mater Academy's interest in applying with Mater Florida for the federal charter school program replication and expansion grant**

Director Gavin said there was an additional federal grant category that allowed individual charter schools to submit applications for access to this money. Collin Ringers, Sheila Moulton, Ricard, spoke on behalf of Mater Academy and Academica. They were requesting a letter of recommendation from the Authority to assist them in their application submission. Mr. Ringer explained the grant would be used for charter school management companies that serve low income students to expand their campuses to serve more of these types of students. Mater Florida would be the lead applicant but if the applicant was chosen, the money would be used at Mater Nevada too. Member McCord asked if this letter would only be in reference to Mater Academy in Nevada. Mr. Ringer agreed the letter would only be in reference to Nevada Mater Academy.

**Member McCord moved for approval of a letter of support from the Authority. Member Mackedon seconded. There was no further discussion. The motion carried unanimously.**

**Agenda Item 10 - Update on the progress of Equipo Academy for starting in the Fall of 2015**

Members of Equipo Academy were not present at the meeting yet, so Chair Conaboy postponed their agenda item to later in the meeting.

**Agenda Item 11 - Appoint SPCSA Board Member to preside over Nevada Virtual Academy Amendment request**

Chair Conaboy disclosed that Nevada Virtual Academy is her client at McDonald Carano Wilson and therefore she would be recusing herself from the discussion.

**Member Abelman motioned for Member McCord to serve as the chair for the Nevada Virtual amendment request. Member Van seconded. There was no further discussion. The motion carried unanimously**

Chair Conaboy asked that Deputy Attorney General Ott clarify the Authority's quorum policy as there would only be 4 members voting on the proposed amendment. Mr. Ott said that since the Authority is a 7 member board and a majority of the members must be preset to vote, 4 members would suffice for the amendment request hearing.

**Agenda Item 12 - Nevada Virtual Academy amendment request pursuant to NAC 386.325**  
Don Curry, chair of NVVAA board; Karen Hendricks, counsel for NVVA, Caroline McIntosh, head of NVVA; and Danny Diamond, Principal of NVVA spoke on behalf of NVVA. Mr. Curry began by asking Mr. Diamond for an overview of past events at NVVA and why this amendment request was being submitted to the Authority.

Mr. Diamond said the school had been working very hard on their improvement since their renewal hearing with the Authority in 2013. He said they have worked to improve the orientation process for students, hired instructional coaches to help the teachers in an online environment, they put together a data driven instructional team to compile data to analyze and bring to life for the benefit of the teachers in the classroom. He said the proficiency rates at their high school has gone up in all of the necessary metrics, the graduation rate had almost doubled. All in all, he said the trends at NVVA were improving. Mr. Diamond explained that NVVA felt a blended instruction model would better serve the students at NVVA.

Ms. Hendricks said there were a series of amendments NVVA was requesting. They wished to change the enrollment cap to reflect numbers from the 2013-2014 school year as opposed to the 2014-2015 school year. She also spoke about the marketing concerns of NVVA that were brought up during the renewal hearing. She said the school wishes to market again in order to better serve students and reach out to students who may not know about NVVA otherwise. She said the school also had concerns in the recommendation letter from Director Gavin that would only limit NVVA enrollment of students to Clark County.

Member McCord asked members of the Authority for questions. Member Van asked about the face-to-face instruction at the facility that Mr. Diamond talked about. Ms. McIntosh said that was what NVVA was planning because they felt some students did better with more face-to-face instruction as opposed to only virtual education. Member Van asked how many students outside of Clark County attend NVVA. Ms. McIntosh said about seventy percent of students that attend NVVA live in Clark County with the other thirty percent made up from around the state.

Member McCord asked why the school had such a precipitous decline in attendance. Ms. McIntosh said the limitations that were placed on the marketing the school could engage in had hurt the schools attendance dramatically. She said the school wanted to follow the direction of the SPCSA, but felt it was a burden on a statewide virtual school. Member McCord asked if the school had tracked exiting students to see where they were attending after they school. Ms. McIntosh said many of the students leave the school at the end of the 8<sup>th</sup> grade year. She said most of the students that leave after 8<sup>th</sup> grade are their most proficient but they choose to attend brick and mortar high schools. Ms. McIntosh said the 2013-2014 data

showed that NVVA had the highest FRL population of any charter school. She found that some of the students were struggling being home alone and therefore, chose to go back to a regular school in order to have more contact with other pupils and teachers. Mr. Curry also added the NVVA board has been concerned about the same things the Authority had brought up. He said they requested that data be gathered to see why pupils were leaving the charter school. He said the thing that surprised them the most was that 8<sup>th</sup> grade students chose to go back to brick and mortar schools at a higher rate than any of the other students that attended the school. He said there was a myriad of reasons why these students chose to do that, from programmatic to social. Member McCord still found the decrease in enrollment, even in light of the 8<sup>th</sup> grade revelation was troubling and he suggested the school do more exit interviews with students leaving the school to better gauge why they felt virtual education was not working for them.

Member McCord referenced amendment request 3 and asked about the mutual covenant warranties. Ms. Hendricks said those were in reference to language that was included in the written charter agreement contract and was inserted in the amendment request to keep the language the same. Member McCord asked Mr. Ott about the NAC regarding the governance of virtual education in Nevada. Director Gavin asked that language going forward be in reference to the charter contract as the written agreement is no longer in use for NVVA.

Director Gavin submitted the recommendation report for the record:

Request 1: *NVA's charter contract, executed in 2013, caps the school's enrollment at "the lessor of 4,446 pupils or the count day enrollment for SY2013-2014" (section 2.3.2). The school's actual count day enrollment in 2013-14 was 3,606. The school is seeking a charter amendment to formally establish that number as the contractual cap on enrollment for the 2014-15 school year.*

Request 2: *Section 2.3.4 of NVA's charter contract requires that the school seek a charter amendment for any variance in enrollment greater than 5 percent in subsequent years of the contract. The school's count day enrollment in 2014-15 was 2,662. The school is seeking a charter contract amendment to reflect this fact.*

Request 3: *NVA is seeking significant modifications to its academic program and operating model to facilitate the addition of several blended and dual enrollment options. NVA staff and board members will make a presentation and will be available to answer questions regarding this model.*

Request 4: *NVA is seeking authority to acquire one or more sites in Clark County for the purpose of bringing face-to-face instructional options closer to its student body. These facilities acquisitions would not permit the school to expand its student enrollment.*

#### Background

*Nevada Virtual Academy is a statewide distance education charter school which was chartered by the State Board of Education in 2007 and was renewed by the SPCSA board in 2013. The renewal was predicated on a high-stakes review of the school's academic, financial, and organizational performance by the SPCSA board in the fall of 2015. The school received a notice of concern for its academic performance in fall 2013 and received a notice of breach for its performance in fall 2015. Both NVA's elementary school and its high school are currently on the state's list of low-performing schools.*

#### Recommendations:

Request 1: Approve

*The school is seeking to clarify the actual count day enrollment in 2013-14 to ensure there is no ambiguity regarding the enrollment cap.*

Request 2: Approve with Modification

*The school had a variance of more than 5 percent of its approved enrollment. This is a material change necessitating a charter contract amendment. Following approval, the school's new contractual enrollment cap will be 2,662. Furthermore, SB511 of the 2015 legislative session has changed the state's pupil accounting model from a single count day to a quarterly average daily enrollment model. Consequently, the reference to count days in the contract should be modified to reflect this change in law. Staff recommends that the references to the fall count day be replaced with references to October 1 to ensure consistency with the new pupil accounting model. Based on the school's history of declining enrollment, staff further recommends that the language of the contract be modified to downwards-cap the enrollment in subsequent years, thereby clarifying that the October 1 enrollment count in 2015-16 will be the maximum approved enrollment of the school for the 2016-17 and that the October 1 count in each year will be the basis for the cap of the following year. Staff request authority to work with counsel to develop language consistent with this intent and to make technical adjustments as necessary to ensure consistency with current law. Staff further request delegated authority to furnish the approved amendment language to the school and execute the final contract modification on behalf of the Board.*

Request 3: Approve with Modification

*The school is to be applauded for its acknowledgement that significant changes are necessary to improve student academic performance. Staff recommends that the board approve the changes to the academic program, subject to several modifications:*

***Prohibit the school from operating instructional facilities outside of Clark County:*** NAC 386.340 provides that a charter school, including a school providing distance education, may not operate facilities for the purpose of instruction in more than one county. While the Authority has permitted virtual schools to operate offices in multiple jurisdictions and provide parent outreach, tutoring, test proctoring, and other federal and state-approved or mandated services face to face in multiple counties on an occasional basis, the provision of regularly scheduled instruction is prohibited under current law and regulation. Moreover, while SB509 does give the Authority board the power to create its own regulations regarding multi-county charters, those regulations have not yet been drafted, let alone approved, and the statute will not come into full effect until January 1, 2016. Consequently, the Board lacks the legal authority to permit the school to operate sites in more than one county for the purpose of instruction or to contract with a provider, including a college or university, to provide scheduled face-to-face instruction in more than one county.

***Require Additional Clarification on the Criteria for Student Assignment to School Pathways:*** Staff wishes to ensure that there are clear, objective criteria, including test score data and a formal staff evaluation, to determine the program and pathway to which a student will be assigned by the school. Based on the school's past performance and the operating history of other virtual schools statewide, it is unclear that a parent/student opt-in model will yield stronger academic outcomes than the school's present academic program. Moreover, the criteria must also make it clear that the student's individual needs—not the convenience to the school or the family—is the sole driver placement decisions. Put simply, the most robust, site-based academic model must be the default option for all newly enrolled

*students in order for the school to be able to ensure that it is making academic placement decisions based on academic need versus operational concerns.*

***Prohibit the Enrollment of New Students from Outside of Clark County:*** *As noted above, the SPCSA lacks the legal authority to permit a school to operate instructional facilities in more than one county. The school is proposing an unprecedented shift in academic and operating model which, combined with current statutory and regulatory provisions, will create a two-tier model. Students residing in Clark County will benefit from a far more robust academic model with a broad range of pathways and delivery systems, while students who live outside the county will have only one option, a legacy academic program which the school understands is not the model best suited to meet the academic needs of much of its current student body. Consequently, staff recommends that the school be prohibited from enrolling any new students residing outside of Clark County.*

***Robust Analysis of the Effectiveness of Pathways and Delivery Systems:*** *Staff recommends that the SPCSA Board require the school to contract with a reputable third party evaluator, approved by the SPCSA, for the purpose of evaluating the effectiveness of these different pathways.*

***Affirm the Board's Commitment to the High Stakes Review:*** *None of the proposed Amendments seek to eliminate or delay the upcoming high stakes review. However, notwithstanding its recommendation of approval of the previously discussed items, staff recommends that the SPCSA Board emphasize that the high stakes review will occur during the 2015-16 school year. Staff also recommend that the Board delegate to staff the authority to modify the language around the high stakes review to permit the Board, at its discretion, to postpone the high stakes review until the winter of 2016 in the event that counsel or staff recommend that any decision regarding the future of the school be deferred to permit evaluation of the potential impacts of recent or impending statutory or regulatory changes.*

***Align the Charter Contract and Performance Framework:*** *Additionally, staff recommends that the charter contract and the school's performance framework be amended to specifically include the criteria set for in SB509 and other bills defining a low-performing charter or traditional public school and clarifying that a school can be placed into breach of contract or served with notice of closure based on persistent underperformance—including but not limited to performance which precedes the effective date of the charter contract.*

**Request 4: Approve**

*The most recent revisions to NAC specifically permit a sponsor to deny a request to occupy a new facility if the school is not rated three star or above. Nevada Virtual Academy's elementary and high schools are both rated at the 2 star level. However, the regulations were crafted to grant a sponsor significant discretion in such cases. It is important to note that this additional facility is not intended to serve new students. Rather, the school's stated intent is to ensure that there are multiple, easily accessible facilities in Clark County to meet the needs of its current students—a geographically dispersed student body. The switch from a fully virtual to a blended model will be a significant disruption to students and families. Consequently, the addition of new facilities for the purpose of better serving its current approved enrollment is an appropriate and sensitive means of accommodating a broader cross-section of the school's student body.*

*The Authority and representatives then discussed the regulations governing charter schools with regard to operating in more than one county. Currently, a school which offers solely virtual education can operate in more than one county, however if a school is using a blended model, it can't offer services to students in more than one county. Member McCord hoped that the Legislative Counsel Bureau would be*

*able to expedite the codifying of the NAC that had been passed before the legislation session and the laws that were passed during the 2015 session.*

*Counsel for NVVA asked for a recess for their agenda item regarding the operation of more than one county so she could consult with leadership at NVVA. Member McCord said that would not be a problem.*

*Upon the completion of the recess, the school requested an adjusted enrollment request that would be the equivalent to 20 percent increase over the 2013-2014 enrollment numbers. They also asked to be able to increase their marketing to allow students better access to their program. NVVA also asked to amend their amendment request to allow for the approval of the blended model for Clark County only in order to try the new model, but still allow students to attend NVVA virtually in other part of the state.*

**Member Van moved for approval of NVVA's amendment request with the 10 percent growth rate each year with the allowance of some marketing, approval of the blended model for Clark County and online model for the rest of the state, and a review of the program in January by the Authority to determine the program's success. Member Abelman seconded. Discussion continued**

Director Gavin felt this would be a good compromise between the Authority and NVVA. He said both groups were able to find common ground which should be rewarded. Member McCord said while the Authority's concerns with the school will remain, he is very encouraged with the progress NVVA made and hoped it would continue on its path of success. Member Van also appreciated the compromise the Authority and NVVA made.

**Upon completion of discussion of the motion the Authority voted 4 – 0 for approval of NVVA's amendment request with the 10 percent growth rate each year with the allowance of some marketing, approval of the blended model for Clark County and online model for the rest of the state, and a review of the program in January by the Authority to determine the program's success. Chair Conaboy abstained, Member Wahl and Member Luna were absent.**

### **Agenda Item 10 - Update on the progress of Equipo Academy for starting in the Fall of 2015**

Ben Salkowe, founding Principal of Equipo Academy, spoke on behalf of Equipo Academy. Mr. Salkowe spoke about the teacher recruitment, enrollment projections, facility development, fundraising outcomes and program designs. He said that as of the morning of the meeting they had enrolled 97% of their projected enrollment goals. He said they had interviews with the potential students in order for the students to have the opportunity to fully understand the program they were enrolling in. Mr. Salkowe said the school also underwent an intensive hiring process to identify and hire teachers who they felt would buy-in to the mission of Equipo Academy. He said the school was very pleased with the results and was looking forward to seeing the new teachers in the classroom. Mr. Salkowe then explained the process of picking out and designing the facility the school would use. He said they did not pick the first available property; instead they spent time trying to find the building that would fit the needs for the students that would attend the school. He said the building was on track to be completed by the August 10 deadline. He said fundraising has also been going very well and donors weren't just writing a check, instead they were becoming involved with the school and the buildup to the first day. He said the curriculum planning has been coming together as well. He said they were planning their training sessions so the new teachers would be best equipped for the first day of school. Mr. Salkowe finished his presentation by discussing the empowerment his team had felt during this process. Mr. Salkowe said he hoped that the SPCSA staff would design and implement training for charter schools that better fit the schedules of the educators that

work at the school. He said he hoped the staff might offer trainings and meetings later in the evening or on Saturdays.

Member McCord said the outline Mr. Salkowe had just given for the startup of Equipo Academy should be used as a model for all developing charter schools in Nevada. The careful thought put into the various details, from school architecture, teacher identification and hiring, to curriculum planning as all been done with a goal in mind and that sets in place the groundwork for a very successful charter school.

### **Agenda Item 13 - Beacon Academy amendment request pursuant to NAC 386.325**

Tambre Tondryk, Principal; Elizabeth Dixon, Vice Principal; Ms. Sanchez, attorney and Travis Cherry, technology coordinator spoke on behalf of Beacon Academy regarding their amendment request. Ms. Tondryk said she hoped the Authority would approve their three request to change the proposed plan of study, enrollment and facilities. She said during the renewal process, Beacon had been identified as low performing and struggled to obtain their charter contract. She said this request would allow Beacon to better serve the students at Beacon Academy and allow for the school to increase its state mandated star rating. She said the school had start meeting with students prior to them beginning at Beacon in order to identify why the students were choosing Beacon over other educational options. She said that some of the students were choosing online education because they felt it was easier and they wouldn't have to attend very much. She said the school's goal was to guide identify these type of students and better help them as they work their way through Beacon.

Chair Conaboy asked how the program has been introduced to parents and students. Ms. Tondryk said the news has been received very well by parents and students alike. She said the parents felt this would better help their children complete their education at Beacon more successfully. The students felt it would be better for them as they only have four teachers instead of the seven they had been interacting with before. Ms. Tondryk said that national research about online education is showing that smaller class schedules and fewer teachers per semester better allowed the children to work their way through the coursework without getting lost between subjects and teachers. In short, instead of seven classes for two semesters, the schedule allows for four classes over four quarters.

Member Mackedon said she appreciated the school's willing to take a new approach to their model and the students they serve. Member McCord said the data the school provided was not the best data they could have provided. He said the data included in the school's packet was dated and mostly spoke to higher education. He did say however, there was data supporting the requests the school was making, but the school did not capture that data for its presentation. He advised the school look into the newer data to see if it gave more insight and better recommendations to even better strengthen the school's proposed model.

Chair Conaboy asked for a motion to approve Request three in Beacon Academy request for amendment pursuant to NAC 386.325.

#### *Request 3: Approve Contingent Upon NDE Approval and School Acceptance of Additional Recommendations 1 & 2 and Modification Outlined Above Under Request 2*

*Staff is forwarding this request as it was submitted simultaneously with the previous requests and it provides context on some changes the school is making with the stated intent of improving pupil outcomes. The school is to be applauded for its acknowledgement that significant changes are necessary to improve student academic performance and for being willing to experiment with strategies which may allow some students to be more academically successful. Staff recommends that the board approve the changes to the schedule contingent upon the NDE approval for an alternate schedule mandated by NAC.*

**Member Mackedon moved for approval of Item three of Beacon Academy's amendment request pursuant to NAC 386.325. Member Van seconded. There was no further discussion. The motion passed unanimously.**

Ms. Sanchez spoke about the changes in count day that had been passed at the previous legislative session. She said this may have an impact on the enrollment numbers at Beacon Academy thus affecting the 10% increase/reduction provision included in their charter contract. Beacon Academy was asking for an enrollment increase of about 18%. She said Beacon wants to be maxed out at 630 pupils after the increase in the star rating in the previous year.

Discussion then continued between the Authority, Director Gavin and the representatives of Beacon Academy regarding the language in bills that may have effect on enrollment. Due to some of the changes made during the 2015 Legislative session, Director Gavin included new requirements that would need to be agreed to in order for the amendment to be approved.

Director Gavin outlined the recommendations for each of the remaining amendment request of Beacon Academy. The recommendations are included below:

*Request 1: Approve Contingent Upon School Acceptance of Additional Recommendation 1 and Modification Outlined Below Under Request 2*

*The school is seeking to clarify the actual count day enrollment in 2013-14 to ensure there is no ambiguity regarding the enrollment cap.*

*Request 2: Deny and Modify Contract to Conform to Statute and Clarify Intent*

*Consistent with previous board action, staff recommends that the Board deny this request. Enrollment increases must be earned based on academic, financial, and organizational performance. Beacon has historically been one the lowest performing schools in the state. While the school made some academic improvement last year, one data point does not constitute a trend. Staff recommends multiple years of sustained improvement before the school is permitted to expand. SB511 of the 2015 legislative session has changed the state's pupil accounting model from a single count day to a quarterly average daily enrollment model. To ensure consistency with the new statute and with the board's stated desire to reserve enrollment expansion for schools with strong and consistent academic performance, staff recommends that the enrollment calculation in the contract be based on the October 1 enrollment to ensure consistency with the new pupil accounting model and provide more clarity to the school. Based on the school's declining enrollment, staff further recommends that the language of the contract be modified to downwards-cap the enrollment in subsequent years, thereby clarifying that the October 1 enrollment count in 2015-16 will be the maximum approved enrollment of the school for the 2016-17 and that the October 1 count in each year will be the basis for the cap of the following year. Staff request authority to work with counsel to develop language consistent with this intent and to make technical adjustments as necessary to ensure consistency with current law. Staff further request delegated authority to furnish the approved amendment language to the school and execute the final contract modification on behalf of the Board.*

*Additional Recommendation 1: Affirm the Board's Commitment to the High Stakes Review: None of the proposed amendments seek to eliminate or delay the upcoming high stakes review. However, notwithstanding its recommendation of approval of several of the previously discussed items, staff recommends that the SPCSA Board emphasize that the high stakes review will occur during the 2015-16 school year. Staff also recommend that the Board delegate to staff the authority to modify the language around the high stakes review to permit the Board, at its discretion, to postpone the high stakes review*

*until the winter of 2016 in the event that counsel or staff recommend that any decision regarding the future of the school be deferred to permit evaluation of the potential impacts of recent or impending statutory or regulatory changes.*

*Additional Recommendation 2: Align the Charter Contract and Performance Framework: Additionally, staff recommends that the charter contract and the school's performance framework be amended to specifically include the criteria set for in SB509 and other bills defining a low-performing charter or traditional public school and clarifying that a school can be placed into breach of contract or served with notice of closure based on persistent underperformance—including but not limited to performance which precedes the effective date of the charter contract.*

**Member Van moved for approval of staff recommendation of items 1 and 2 of Beacon Academy's amendment request. Member Mackedon seconded. There was no further discussion. The motion carried unanimously.**

**Agenda Item 18 - Consideration of Willie H. Brooks Soar Academy request for an extension of Subsection 7 per NAC 386.240(1)**

Member McCord asked that Agenda Item 18 be moved to the August board meeting schedule.

**Member McCord moved for a final postponement of Agenda Item 18. Member Van seconded. There was no further discussion. The motion passed unanimously.**

**Agenda Item 15 - Founders Academy amendment request pursuant to NAC 386.325**

Bob Beers, treasurer; Rich Moreno, Board President; Mark Hessiak, Vice President; Carol Leavitt, principal; Sylvia Garcia, Board member; Brenda Flank, board member, spoke on behalf of the school.

Member Van disclosed that he had represented Ms. Leavitt's children in a court case. Member Abelman disclosed he knew Mr. Beers through various downtown endeavors. All members said the relationship would not have an impact on the hearing. Member McCord also said he knew Ms. Leavitt through the Clark County School District, but that it too would not have an effect on the hearing.

The recommendation report to which the Founders representatives spoke to follows:

**Background**

*Founders was approved by the SPCSA board in 2013 and opened in the fall of 2014. The Las Vegas school commenced operation in 2014 and just concluded its first year of operation. The school has not received any notices of concern or breach related to its academic, financial, or organizational performance to date, although data to prompt such sanctions has been limited until recently.*

*In reviewing the school's submissions to the Authority in their entirety and speaking with members of the governing body and school employees, staff has identified a number of oversights which are cause for concern, including:*

- The school has made incorrect cash flow assumptions and has overestimated revenues and underestimated expenses, resulting in the need to resort to multiple short term loans at varying interest rates*
- Separation of duties between board members and school administration are unclear, leaving questions related to accountability and proper governance*
- The school lacks the tools to demonstrate that it is academically successful*

**Recommendations: Approve with Conditions**

*The most recent revisions to NAC specifically permit a sponsor to deny a request to occupy a new facility if the school is not rated three star or above. The school has no academic track record. However, the regulations were crafted to grant a sponsor significant discretion in such cases.*

*Based on a review of the school's submissions to date, it is clear that entering into this new lease will permit the school to significantly reduce its operating expenses and it will also permit a modest increase in revenue by permitting it to accommodate its rising 11<sup>th</sup> grade class. Those two changes are projected to significantly improve the school's cash position and its overall financial viability. However, it appears that many of the issues which have arisen this year were predictable, prompting staff to recommend that the approval be contingent upon the following sanctions and corrective actions:*

**Sanctions:** *Staff has determined that the school should be subject to a Notice of Concern, based on inconsistencies in the, scheduled to be completed in the Fall of 2015. The school will be required to adopt an Authority-approved fiscal improvement plan to increase its available cash position on a quarterly and annual basis and will be required to adopt and adhere to a budget where revenues exceed expenses on a quarterly and annual basis. The school will be required to achieve quarterly and annual targets for the 2015-16 and 2016-17 school years. Failure to comply with the terms of the fiscal improvement plan and achieve quarterly or annual objectives as measured by both quarterly financial reports and the annual independent audit will result in a Notice of Breach. In the event that the school is served with a Notice of Breach, the school will be required to adopt an authority-approved fiscal improvement plan to increase its available cash position on a monthly, quarterly, and annual basis and will be required to adopt and adhere to a budget where revenues exceed expenses on a monthly, quarterly, and annual basis. Failure to comply with the terms of the fiscal improvement plan and achieve monthly, quarterly, or annual objectives during either the 2015-16 or 2016-17 school year as measured by monthly and quarterly financial reports and the annual independent audit will result in a Notice of Closure.*

*Additionally, staff recommends that the school develop a comprehensive corrective action plan, subject to SPCSA staff review and approval, which should include, but not be limited to the following:*

**Hire a Qualified Director of Operations:** *Staff recommends that the SPCSA Board require the school to recruit and hire an experienced, full-time Director of Operations to manage the day-to-day relationship of the school in association with its financial management provider.*

**Evaluate Board Make-Up and Recruit Additional Board Members, Including At Least One Additional Member with Extensive Financial Management Experience:** *Staff recommends that the SPCSA Board require the school to evaluate whether each member of the current governing board is sufficiently objective and has the capacity to appropriately govern the school. The governing board should be required to expand to add at least three additional board members, including one additional member with extensive financial management experience. Authority staff also recommend the governing board to provide a plan which is acceptable to staff regarding how the board will mitigate any potential deleterious effects of having relatives, close friends, and associates sitting concurrently on the governing board.*

**Establish a Strong Finance Committee:** *Staff recommends that the SPCSA Board require the school to establish a strong Finance Committee of at least three members which will meet on a monthly basis (at minimum).*

**Board Training:** *Staff recommends that the SPCSA Board require the school to participate in Board on Track (f/k/a The High Bar) for online board training and evaluation resources.*

**Establish a Robust Internal Assessment System:** *It is unclear how the school measures progress towards the goals set forth in its charter and how the limited assessment tools currently employed by the school align to the Nevada Academic Content Standards. As a result, the school has been unable to provide credible, objectively verifiable data to justify its request to occupy additional space and to demonstrate that it is indeed making the academic progress which it believes it is achieving. Staff recommends that the SPCSA board mandate that the school adopt such an assessment system, subject to Authority staff approval, as a condition of approval of this amendment and that data from those assessments be furnished to support any subsequent amendment requests.*

**Align the Charter Contract and Performance Framework:** *Additionally, staff recommends that the charter contract and the school's performance framework be amended to specifically include the criteria set forth in SB509 and other bills defining a low-performing charter or traditional public school and clarifying that a school can be placed into breach of contract or served with notice of closure based on persistent underperformance.*

Mr. Beers began by stating their group disagreed with the recommendations of the SPCSA staff. Their request is below:

*As noted in its Charter Agreement and Application, Founders will add the eleventh grade in the upcoming school year, and the proposed additional facilities will both provide space for the eleventh grade as well as space for additional students in the existing grades. With the proposed additional facility, Founders is currently expecting a total enrollment of 530 students, an increase of 97 students from the 2014 - 15 academic year. Founders' current facilities will not accommodate this amount of students.*

*The addition of eleventh grade will help Founders fulfill its initial mission of providing a complete, integrated curriculum from K-12 instruction. Further, the additional 97 students which will attend Founders this year will provide approximately \$582,000 in additional revenue, which is essential to balancing Founders' budget. These facilities will also allow for the addition of the twelfth grade in the 2016 - 17 school year without acquiring any new space at that time. Finally, the acquisition of a gymnasium/multi-purpose space (the 4145 Building) will give Founders the flexibility to greatly expand its physical education programs and extra-curricular offerings. Founders' first year has been a great success despite the many challenges which the school had to overcome. Founders ask that the Authority approve its request to occupy additional facilities so that it may continue to work towards its ultimate goal of establishing a charter school that provides unparalleled, tuition-free education to the children of Nevada. Multiple members of Founders Governing Board and a representative of the new owner of the facilities will be present at the Authority's July 13, 2015 meeting to answer any questions the Authority may have.*

Mr. Beers said their board disagreed with each of the four points made in the recommendation report. Ms. Leavitt then spoke about her time as the principal of Founders Academy. She said she had been impressed by the work ethic of the students and the results for students the school was producing. Ms. Leavitt said the lack of data was due to the school being in its first year. She said she had taken issue with some of the language used by SPCSA staff in the recommendation report. Ms. Leavitt felt that the reading, spelling and math were very successful at the elementary school level.

Mr. Beers said the claim there were improper separation of duties at the school and he said it would he hoped the Authority would be able to ask them questions directly since they had not been asked up until the point of the recommendation report. Member Conaboy asked about the Organizational chart because

she saw a lot shared duties and unclear supervisory structure. Mr. Beers said that due to the small scale of the staff there were shared duties during the first year. He said there would be a new principal next year as Ms. Leavitt would be retiring. He is intent on creating a more structured organizational chart. Mr. Beers then discussed the business makeup of the school and how it dealt with finances, payroll and office management. Member McCord asked if Mr. Beers had oversight over these areas as he was the board treasurer. Mr. Beers confirmed that he does oversee these areas of the school.

Mr. Beers then addressed the concern brought up in the SPCSA staff recommendation report that noted numerous loans that had been taken out by Founders Academy. He said that due to problems with NDE's DSA payment release they were forced to take out loans in order to meet their basic operating costs. He said the school had addressed some of these concerns by eliminating some expenses out of the budget for the upcoming school year.

Member Mackedon asked Mr. Beers to lay out each of the loans the school had taken and when those loans were taken out. Mr. Beers said they took two loans during the beginning of their operation, with one being substantially paid back and the other scheduled to begin payback during the upcoming school year. He said they took out an additional loan, but did not have the specific dates when that loan was executed. He said they believe in prudent cash management and don't take out more cash than they need on hand. He said there were three short term loans, one which had been paid back fully and the other two scheduled to be paid back over the course of the next year. Member Mackedon asked for clarification as to why the school had needed so many loans. Mr. Beers said the short term loans were used for various day-to-day operations.

Chair Conaboy asked Mr. Beers why Founders had fallen short with regard to their budgeting. Mr. Beers said they wanted to pay back one of the loans with a different loan because they wanted to have the better interest rate instead. Mr. Beers also added that they had anticipated having more donations from the community that had not come through. Mr. Beers also said that being a brick and mortar school had added to some of the costs that they did not.

Discussion then began regarding Founders Education Legacy and if this was considered an EMO. Mr. Moreno said that when a school opened they were not allowed to be a 501c3. He said that was the reason they began the Founders Education Legacy (FEL) so that they could receive donations on behalf of the school. Mr. Moreno also discussed the people who were retired and receiving PERS would not be able to receive money from another government agency. They must receive their payments from an entity that pays Social Security instead of PERS. Mr. Moreno explained the payment structure of FEL and Founders Academy, the school. Member Mackedon said after hearing the description of FEL, it sounded like FEL was made into an Education Management Organization, which would have needed to be approved by the Authority. Mr. Beers said the school was willing to work with staff at the Authority to bring FEL into compliance.

Chair Conaboy asked if Mr. Moreno would be transitioning to a governing role and allow the school's administrators to run the day-to-day operations. Mr. Beers said that was anticipated, but did not have the exact timeline.

Chair Conaboy moved to the proposed lease for the facility Founders was moving to. Ms. Feiman of Founders explained the rent structure of their lease agreement and why they were in need of another campus. They also discussed how the arrangement between the property firm and the school would work. Chair Conaboy said that some of the arrangements in the lease were troubling for her. She said the school looked to have a disproportionate amount of liability that typically would be paid for by the land lord.

Member Mackedon said she was concerned with the school taking on this lease payment since they already demonstrated difficulties with their current budget. Mr. Beers said this had all been built into the budget and the school was prepared to take on the lease payment. Chair Conaboy did say she was concerned with some of the language in the proposed lease, but she would support the motion.

**Member McCord moved for approval of Founder Academy's amendment request pursuant to NAC 386.325. Member Van seconded. The motion carried unanimously**

Upon completion of the vote, Tim Peterson, spoke to the Authority regarding charter schools in Texas and Arkansas and his plans as the new principal of Founders Academy.

**Agenda Item 3 – Authority Update**

Chair Conaboy asked members who attended the National Charter School Alliance meeting to recap their trip. Member Abelman said he found the governance portion of the conference to be very enlightening. He hoped the Authority board would keep this as a priority for schools in the future. Member Mackedon said she left the conference feeling motivated again. She said the speakers the conference had did a great job and invigorating her to come back and start the school year.

**Member Abelman left**

**Agenda Item 17 - Doral Academy amendment request pursuant to NAC 386.325**

Representatives of Doral were seeking approval from the Authority to expand their campus. They felt they could better serve their student population by expanding their campus and allow for K-12 education. Director Gavin submitted the recommendation report:

**Background**

*Doral was approved by the SPCSA Board in 2013 and opened in the fall of 2013. It currently operates under a charter contract. It has previously received approval to operate two additional elementary-middle school facilities and to add a high school program. The school has not received any notices of concern or breach related to its academic, financial, or organizational performance. The school currently operates a 5 star elementary school program and a 3 star middle school program. Results from internal assessments indicate that the school is continuing to make academic growth, but it is important to note that absent SBAC data it is impossible to determine what, if any, predictive value the school's commercially available testing system has related to SBAC performance. As the school only operated one campus at the time of the most recent CRT administration, it is not possible to disaggregate academic performance on high stakes state assessments by campus.*

**Recommendation: Approve with Conditions**

*The school meets the current criteria for approval for a new facility pursuant to the most recent revisions to NAC. As the school is submitting this request well in advance of executing on a lease or sale, staff requests that the initial approval be granted as a strategic amendment to acquire and operate a facility in the approximate identified area and serving the grade levels and student enrollment identified in the request. Staff further requests delegated authority to grant additional technical amendments and approvals in upon receipt of documentation and other items required under NAC to occupy the building. This approval is consistent with the mechanism the Authority Board uses to permit the incorporation of pre-opening requirements for new schools into the charter contract without the delay and complexity attendant to additional board review.*

The representatives of Doral said the word of mouth about their school was growing and the additional interest would require more space. They said they had a 5 star rating and hoped to continue that for more students with the additional campuses.

**Member McCord moved for approval of Doral Academy's amendment request pursuant to NAC 386.325. Member Mackedon seconded. There was no further discussion. The motion passed unanimously.**

#### **Agenda Item 16 - Pinecrest Academy amendment request pursuant to NAC 386.325**

Carrie Buck spoke on behalf of Pinecrest Academy. The school was requesting an additional facility for K-12 education. The school is rated as 4 stars for middle schools and 3 stars for elementary. Dr. Buck said that while she has been at the school she has focused a lot of energy to bring the math scores back up to an acceptable level.

Director Gavin submitted the recommendation report for the record:

##### Background

*Pinecrest was approved by the SPCSA Board in 2012 and opened in the fall of 2013. It currently operates under a written charter. It has previously received approval to operate two additional elementary-middle school facilities and to add a high school program. The school has not received any notices of concern or breach related to its academic, financial, or organizational performance. The school currently operates a 3 star elementary school program and a 4 star middle school program. Results from internal assessments indicate that the school is continuing to make academic growth, but it is important to note that absent SBAC data it is impossible to determine what, if any, predictive value the school's commercially available testing system has related to SBAC performance. As the school only operated one campus at the time of the most recent CRT administration, it is not possible to disaggregate academic performance on high stakes state assessments by campus.*

##### Recommendations: Approve with Conditions

*The school meets the current criteria for approval for a new facility pursuant to the most recent revisions to NAC. As the school is submitting this request well in advance of executing on a lease or sale, staff requests that the initial approval be granted as a strategic amendment to acquire and operate a facility in the approximate identified area and serving the grade levels and student enrollment identified in the request. Staff further requests delegated authority to grant additional technical amendments and approvals in upon receipt of documentation and other items required under NAC to occupy the building. This approval is consistent with the mechanism the Authority Board uses to permit the incorporation of pre-opening requirements for new schools into the charter contract without the delay and complexity attendant to additional SPCSA Board review.*

*A review of the school's current status with the Authority reveals that it was approved in 2013 prior to the adoption of AB205 and the new charter contract provisions of the charter school law. The school is still under a written charter instead of a charter contract. SB509 specifically permits a sponsor to require a holder of a written charter or charter contract that requests an amendment to agree to an amended and restated charter contract as a condition of approving such amendment requests.*

*Consequently, staff recommends that the Board make approval of this amendment request contingent upon the school executing an amended and restated charter contract which be effective January 1, 2016 and would remain in effect until May 5, 2019—the end date of the current written agreement. Consistent with the board's actions related to other schools in the portfolio, staff requests that the board set an enrollment cap based on the school's enrollment as laid out in the amendment request and incorporating all other standard language from the current model charter contract. Additionally, staff recommends that*

*the contract and performance framework specifically include the criteria set for in SB509 and other bills defining a low-performing charter or traditional public school and clarifying that a school can be placed into breach of contract or served with notice of closure based on persistent underperformance—including but not limited to performance which precedes the effective date of the charter contract. Staff request authority to work with counsel to develop language consistent with this intent and to make technical adjustments as necessary to ensure consistency with current law. Staff further request delegated authority to furnish the approved amendment language to the school and execute the final contract modification on behalf of the Board.*

Chair Conaboy asked Dr. Buck about stories in the Las Vegas papers that showed concern about charter schools moving in to the Henderson area. Ryan Reeves, Academica, said that story was about a different site and a different school.

Director Gavin asked that the Authority approve the amendment with a provision that the school sign onto the Written Charter Contract as opposed to staying on the Written agreement.

**Member McCord moved for approval of Pinecrest Academy's amendment request pursuant to NAC 386.325 with the provision that Pinecrest sign onto a Charter Contract for the remainder of their charter term. Member Van seconded. There was no further discussion. The motion passed unanimously.**

## **Agenda Item 2 – Approval of the June 12, 2015 SPCSA Board Meeting Minutes**

Chair Conaboy asked for a motion to approve the minutes.

**Member Van moved for approval. Member McCord seconded. There was no further discussion. The motion carried unanimously.**

## **Agenda Item 6 – Infinite Campus Update**

Traci House, Business Process Analyst and Director Gavin spoke about Infinite Campus. Director Gavin said the legislature did approve the statewide Infinite Campus implementation plan. Director Gavin acknowledged that there have been growing pains with the implementation of Infinite Campus for charter schools. He said the vast differences in each of the charter schools did create some problems with Infinite Campus. He said he hoped with the statewide implementation, the charter schools will be able to better use the Infinite Campus functions that suits them best.

Member Mackedon said the problems at the school sites have been with students being improperly inputted into the wrong school. This had created issues with the validity of the data in Infinite Campus because the crossover could produce incorrect report for schools.

## **Agenda Item 8 - Overview for development of Regulations by the Authority Board including but not limited to process, timeline, adoption, legislative requirements, workshops and public hearings**

Greg Ott, Deputy Attorney General, spoke about the process the Authority would follow to create regulations since it had been given that power during 2015 Legislative session. He submitted these points for the record:

- Process is long and slow with 2 primary aims
  - Maximize the opportunity for public comment
  - Ensure permanent regulations do not conflict with existing laws
- Three types of Regs

- Permanent (NRS 233B.061)
  - Temporary (NRS 233B.063(3))
  - Emergency (NRS 233B.0613)
- Most of what the SPCSA does for the next year will be permanent.
- Agency submits a request to the Governor which he may endorse or reject
- Only exists for 120 days
- Require an emergency (life, health, safety)
- Very rarely used (know they exist but don't plan on using them)
- Temporary is only available between August 1 of an even numbered year and July 1 of the next odd numbered year.
- Expire automatically on November 1 of the next odd numbered year (identical permanent reg may be adopted).
- Process identical to the Permanent reg process, but no submission of language to LCB.
- Multi-step process with several requirements
  - Submission to LCB for language
  - Workshop
  - Public hearing
  - Final review by Legislative Committee
- Permanent Regulations must be submitted to LCB for official language.
- The LCB is supposed to deliver the approved language within 30 days of a request (NRS 233B.063(2))
- Language not needed for workshop, but is needed for public hearing
- Specific Notice Requirements (NRS 233B.0608)
  - Must post 15 before workshop
  - Cannot have workshop on the same day as a public hearing
  - Must post notice, small business impact statement
  - Must follow open meeting law procedures and take public comment
- Specific Notice Requirements
  - Approved Text must come from LCB
  - 30 Days Posting (NRS 233B.060) of intended action
  - Notice must be on required form (NAC 233B.010)
  - Must follow open meeting law procedures and take public comment
- After approval at a public hearing the Regulation is submitted to LCB for Legislative Commission Review (233B.067(1))
  - Leg. Comm. can reject or approve a regulation
  - If rejected it does not become a regulation, but the agency may request a written explanation
  - If accepted it is filed with the Secretary of State. At which time it becomes effective.

**Agenda Item 21 – Adjournment**

**Chair Conaboy asked for a motion to adjourn. Member Van moved seconded. The motion passed unanimously.**

The meeting adjourned at 3:55 pm

**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**SUPPORTING DOCUMENT**

**S U B J E C T: Authority Update**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  /  </u>	Action

MEETING DATE: August 24, 2015

AGENDA ITEM: 3

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S): Kathleen Conaboy, Chair, State Public Charter School Authority**

**FISCAL IMPACT:**

**BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):**

**LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 10 mins**

**SUBMITTED BY:** \_\_\_\_\_

**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**SUPPORTING DOCUMENT**

**S U B J E C T: Director's Report**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  /  </u>	Action

MEETING DATE: August 24, 2015

AGENDA ITEM: 4

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S): Patrick Gavin, Director, State Public Charter School Authority**

**FISCAL IMPACT:** \_\_\_\_\_

**BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):** \_\_\_\_\_

**LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 10 mins** \_\_\_\_\_

**SUBMITTED BY:** \_\_\_\_\_

**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**SUPPORTING DOCUMENT**

**S U B J E C T: Criteria for High Stakes Review  
of Charter Contracts and Criteria for Closure,  
Reconstitution, or Restart of a Charter School**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  x  /  </u>	Action

MEETING DATE: August 24, 2015

AGENDA ITEM: 5

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S): Patrick Gavin, Director, State Public Charter School Authority**

**FISCAL IMPACT:**

**BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):**

**LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 20 mins**

**SUBMITTED BY: \_\_\_\_\_**

**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**SUPPORTING DOCUMENT**

**S U B J E C T: Discussion of Nevada Virtual Academy's timeline for the high stakes review based upon their 2013 renewal provisions**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  x  /  </u>	Action

MEETING DATE: August 24, 2015

AGENDA ITEM: 6

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S): Patrick Gavin, Director, State Public Charter School Authority**

**FISCAL IMPACT:**

**BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):**

**LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 20 mins**

**SUBMITTED BY:** \_\_\_\_\_

**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**SUPPORTING DOCUMENT**

**S U B J E C T: School Eligibility for Inclusion  
in Authority Task Forces**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  x  /  </u>	Action

MEETING DATE: August 24, 2015

AGENDA ITEM: 7

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S): Patrick Gavin, Director, State Public Charter School Authority**

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**FISCAL IMPACT:**

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**BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):**

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**LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 20 mins**

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**SUBMITTED BY:** \_\_\_\_\_

**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**SUPPORTING DOCUMENT**

**S U B J E C T: Mater Academy amendment  
request pursuant to NAC 386.325**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  x /  </u>	Action

MEETING DATE: August 24, 2015

AGENDA ITEM: 8

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S): Patrick Gavin, Director, State Public Charter School Authority;  
Representatives of Mater Academy**

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**FISCAL IMPACT:**

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**BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):**

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**LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 20 mins**

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**SUBMITTED BY:** \_\_\_\_\_

**BRIAN SANDOVAL**  
*Governor*

**STATE OF NEVADA**

**PATRICK GAVIN**  
*Director*



**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

1749 North Stewart Street Suite 40  
Carson City, Nevada 89706-2543  
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**BRIEFING MEMORANDUM**

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**TO:** SPCSA Board  
**FROM:** Patrick Gavin  
**SUBJECT:** Mater Academy amendment request pursuant to NAC 386.325  
**DATE:** August 25, 2015

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Summary of Request:

Mater Academy has requested permission to pursue the acquisition of an additional facility with the intent of expanding enrollment. This would be Mater's second campus.

Background

Mater was approved by the SPCSA Board in January 2014 and opened in the fall of 2014. It currently operates under a charter contract. It has previously received approval to vacate its first incubator facility and occupy a new facility based on authority delegated to SPCSA staff. The school has not received any notices of concern or breach related to its academic, financial, or organizational performance. Results from internal assessments indicate that the school is making academic growth, but it is important to note that absent SBAC data it is impossible to determine what, if any, predictive value the school's commercially available testing system has related to SBAC performance.

As the school has only been in operation since 2014, there is no NSPF (Star System) data to consider in evaluating this request. The SPCSA board has the authority in regulation to grant permission to pursue and occupy an additional facility absent an NSPF ranking. It is important to note that the school is a replication of a high achieving, intentionally diverse school model which has consistently ranked on the A or B level on Florida's statewide system of school accountability. Moreover, there is recent precedent for granting such requests from schools which replicate a high performing school model absent NSPF data. Pursuant to previously delegated authority, staff approved a request this winter from American Preparatory Academy to pursue and occupy an additional facility. APA is also a replication of a high performing school model from another state. As the school is under the charter contract and performance framework, the SPCSA staff and board also has significant authority and discretion to impose sanctions on Mater Academy should it not live up to the promise evidenced by other schools implementing the same academic model.

Recommendation: *Approve with Conditions*

The school meets the current criteria for approval for a new facility pursuant to the most recent revisions to NAC. As the school is submitting this request well in advance of executing on a lease or sale, staff requests that the initial approval be granted as a strategic amendment to acquire and operate a facility in the approximate identified area and serving the grade levels and student enrollment identified in the request. Staff further requests delegated authority to grant additional technical amendments and approvals in upon receipt of documentation and other items required under NAC to occupy the building. This approval is consistent with the mechanism the Authority Board uses to permit the incorporation of pre-opening requirements for new schools into the charter contract without the delay and complexity attendant to additional SPCSA Board review.

SB509 specifically permits a sponsor to require a holder of a written charter or charter contract that requests an amendment to agree to an amended and restated charter contract as a condition of approving such amendment requests. Consequently, staff recommends that the Board make approval of this amendment request contingent upon the school executing an amended and restated charter contract which would be effective January 1, 2016 and would remain in effect until June 30, 2020—the end date of the current charter contract. Consistent with the board’s actions related to other schools in the portfolio, staff recommends that the contract and performance framework specifically include the criteria set for in SB509 and other bills defining a low-performing charter or traditional public school and clarifying that a school can be placed into breach of contract or served with notice of closure based on persistent underperformance. Staff request authority to work with counsel to develop language consistent with this intent and to make technical adjustments as necessary to ensure consistency with current law. Staff further request delegated authority to furnish the approved amendment language to the school and execute the final contract modification on behalf of the Board.



## MATER ACADEMY OF NEVADA

1378 Paseo Verde Pkwy, Suite 200  
Las Vegas, NV 89012

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August 10, 2015

State Public Charter School Authority,

Mater Academy of Nevada is seeking approval from the State Public Charter School Authority (SPCSA) for expansion to a new location for a K-8 campus that would open August of 2016. Currently Mater Academy has one K-8 campus.

Attached are the following support materials:

- Google Maps of School Locations
- Mater Academy – Student Enrollment Maps
- Mater Academy – Academic Growth
- Mater Academy – School Demographics
- Proposed Location Map
- Proposed Site Plan & Elevation
- Mater Academy – Proposed K-8 Campus Capacity



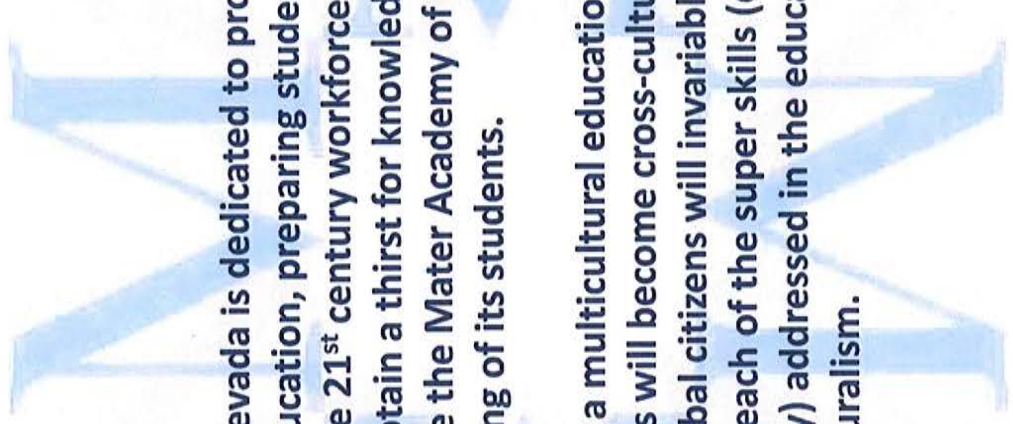
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# MATER ACADEMY

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*of Nevada*

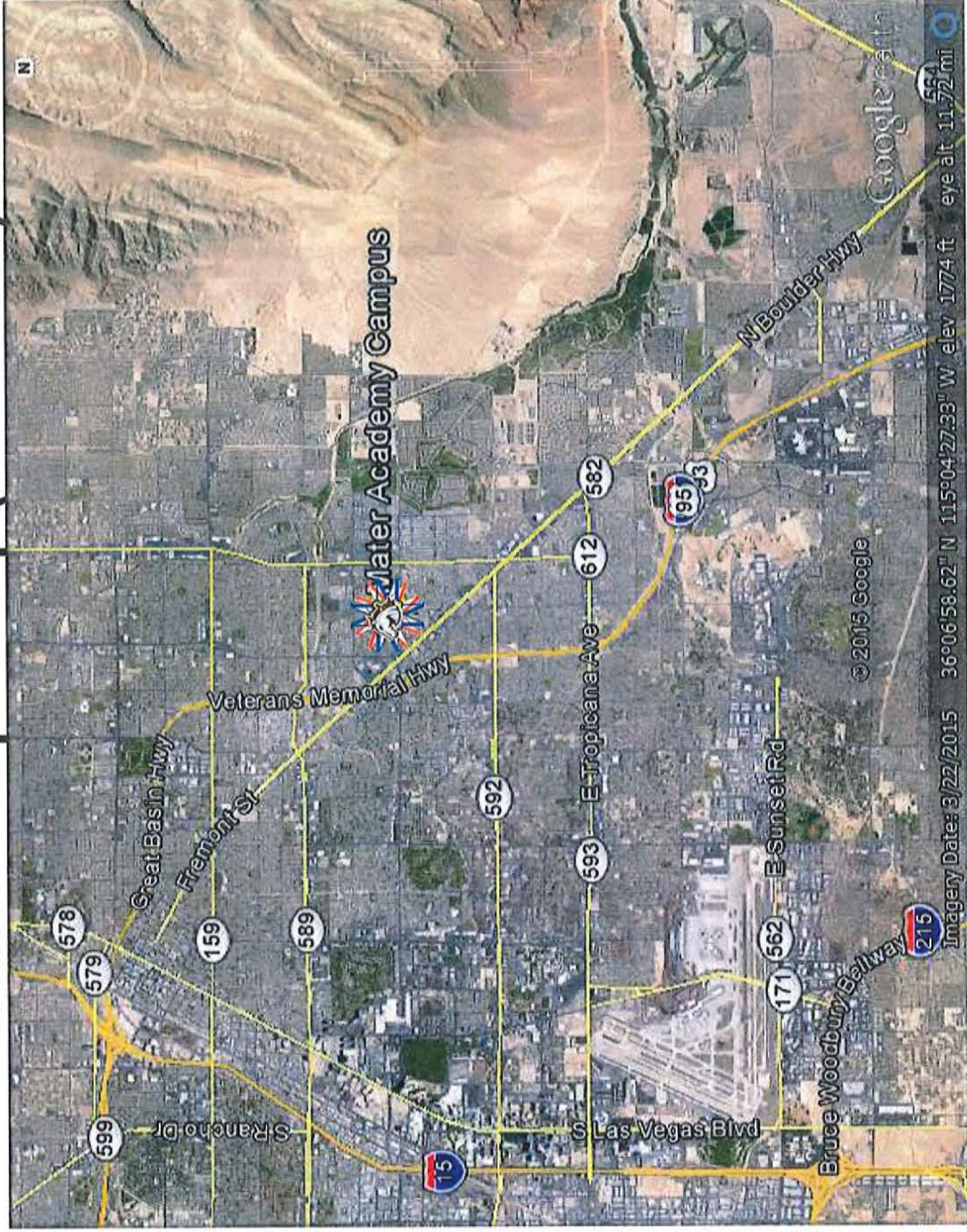
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Mater Academy of Nevada is dedicated to provide an innovative, challenging, multi-cultural education, preparing students to be global citizens and have a competitive edge in the 21<sup>st</sup> century workforce. Mater Academy of Nevada aspires to have students to obtain a thirst for knowledge and a belief in the students' self-efficacy. We strive to have the Mater Academy of Nevada community to be actively involved in the learning of its students.

By teaching students a multicultural education through Mater Academy's enrichment program, students will become cross-culturally competent. Further, developing students to be global citizens will invariably prepare them to be college and career ready. Moreover, each of the super skills (communication, collaboration, critical thinking, and creativity) addressed in the educational philosophy catalyze global citizenry and multiculturalism.

# Mater Campus Map (2015-2016)





## Mater Mtn. Vista Campus

Grade	2015-2016 Target	2015-2016 Registered	2015-2016 Wait list
K	84	84	105
1	100	100	42
2	100	100	34
3	100	100	30
4	100	100	28
5	100	100	6
6	90	90	3
7	60	56	0
Total	734	730	248

\*Data from School Lottery System on 7/29/15



## Mater 2015-2016 Ethnicity (73% Free and Reduced Lunch in 2014-2015)

Grade	American Indian Alaskan Native	Asian	Hispanic Latino	Black African American	White	Native Hawaiian Pacific Islander	Two Or More Races	Total
1	1	2	63	7	21	0	6	100
2	0	6	53	11	27	0	3	100
3	1	1	69	15	12	0	2	100
4	0	4	60	16	19	0	1	100
5	0	2	67	11	14	1	5	100
6	0	2	64	15	8	0	1	90
7	1	0	42	6	5	0	2	56
K	0	2	46	13	17	0	6	84
<b>Total</b>	<b>3</b>	<b>19</b>	<b>464</b>	<b>94</b>	<b>123</b>	<b>1</b>	<b>26</b>	<b>730</b>

\*Data from School Lottery System on 7/31/15

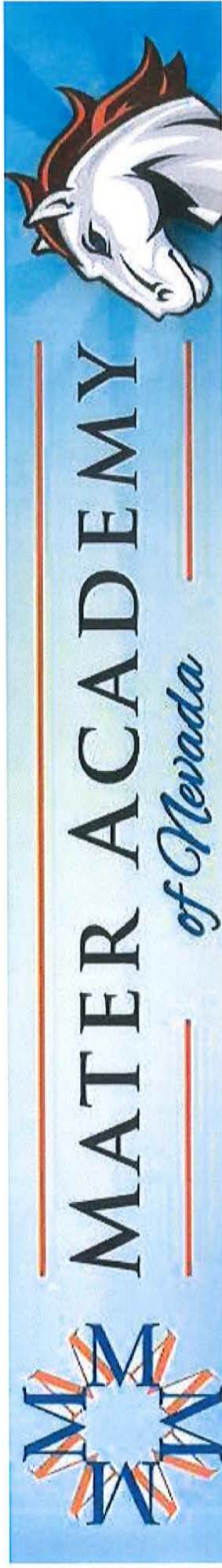


## STAR Reading 2014-2015

% of students at or above grade level

Grade	Fall	Spring
K	*8%	100%
1	66%	78%
2	45%	58%
3	33%	47%
4	22%	47%
5	42%	47%
6	23%	52%

\*Indicates percentage of students able to test and score above.



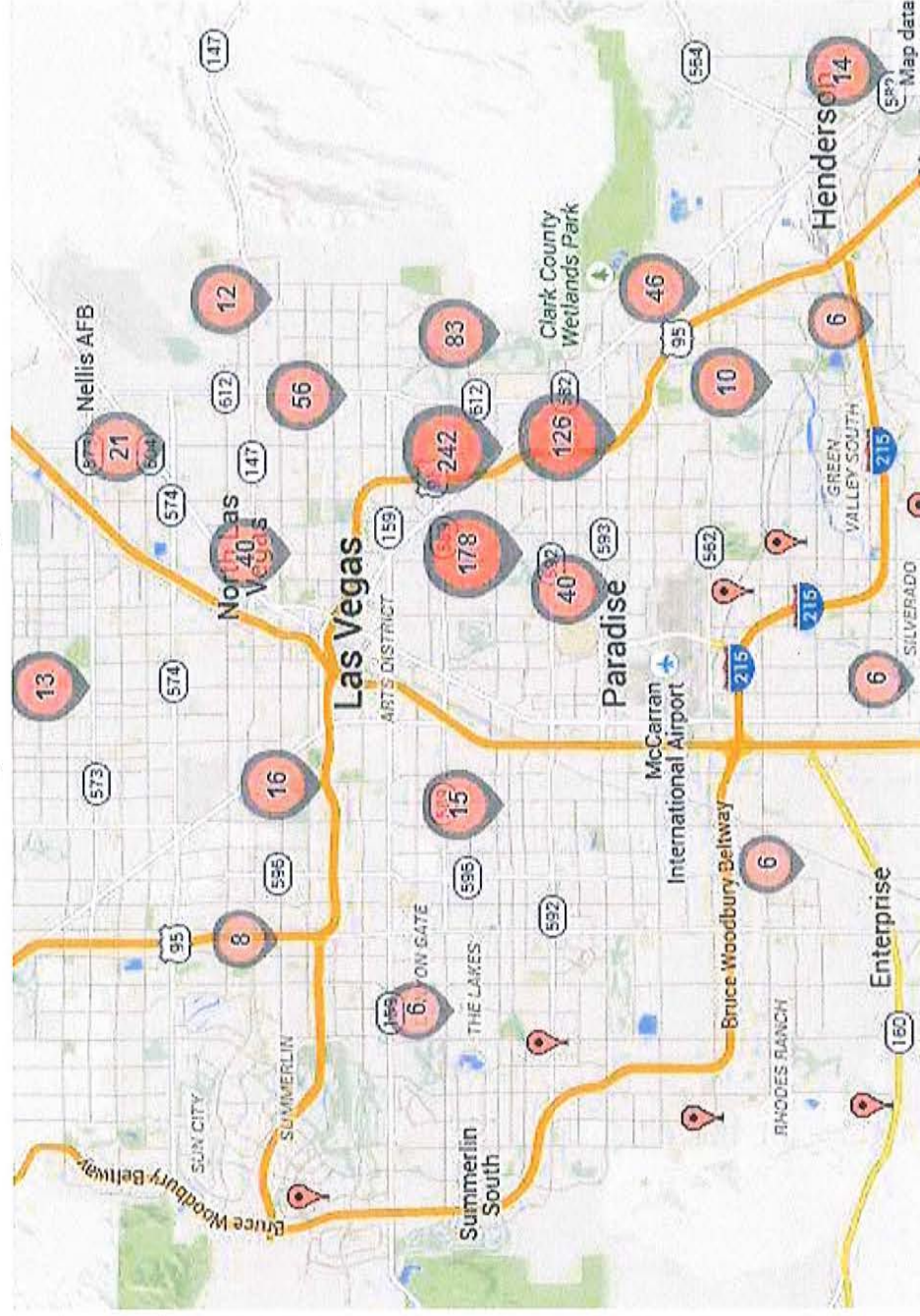
## STAR Math 2014-2015

% of students at or above grade level

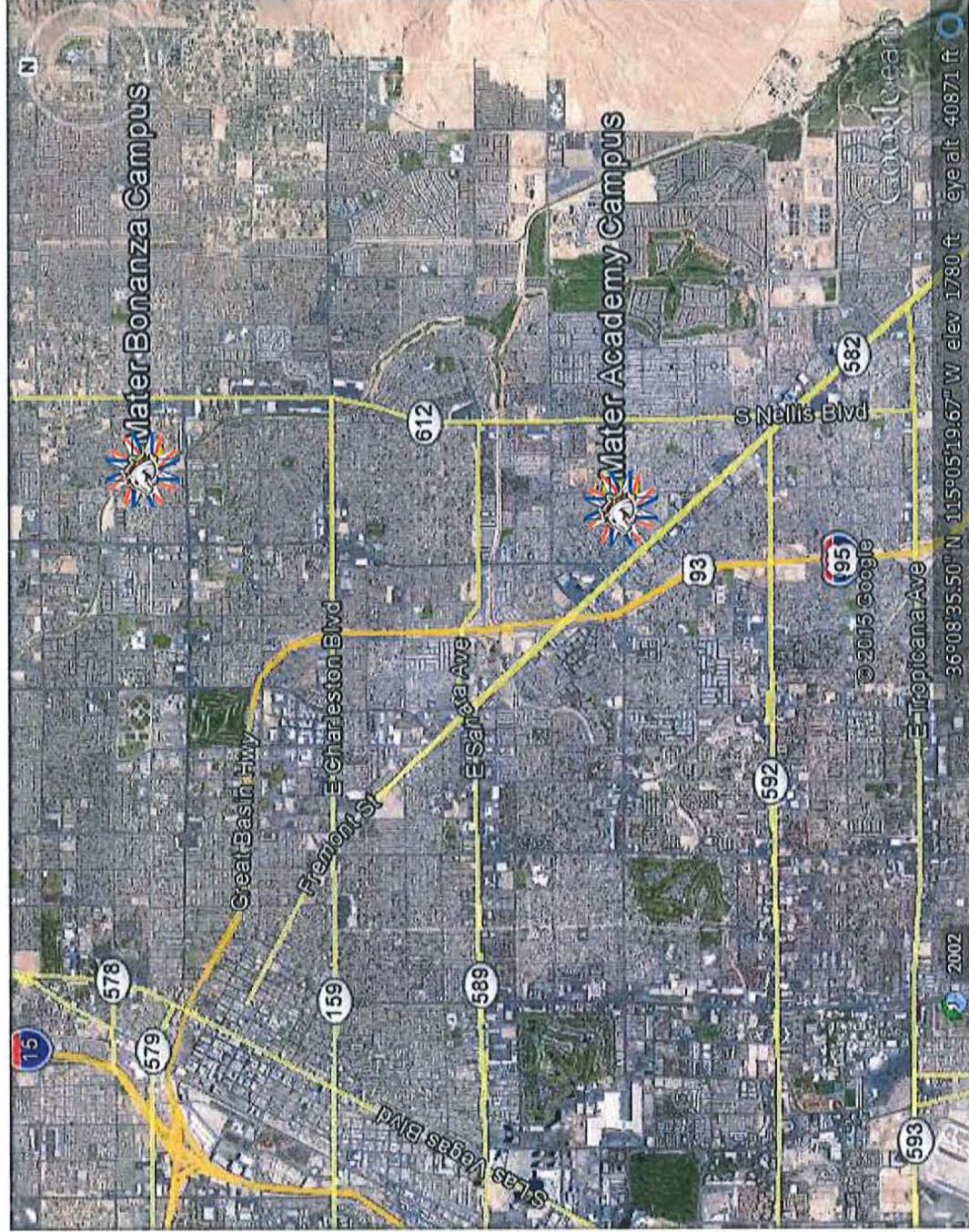
Grade	Fall	Spring
K	*8%	92%
1	57%	84%
2	40%	54%
3	39%	48%
4	35%	55%
5	36%	40%
6	28%	52%

\*Indicates percentage of students able to test and score above.

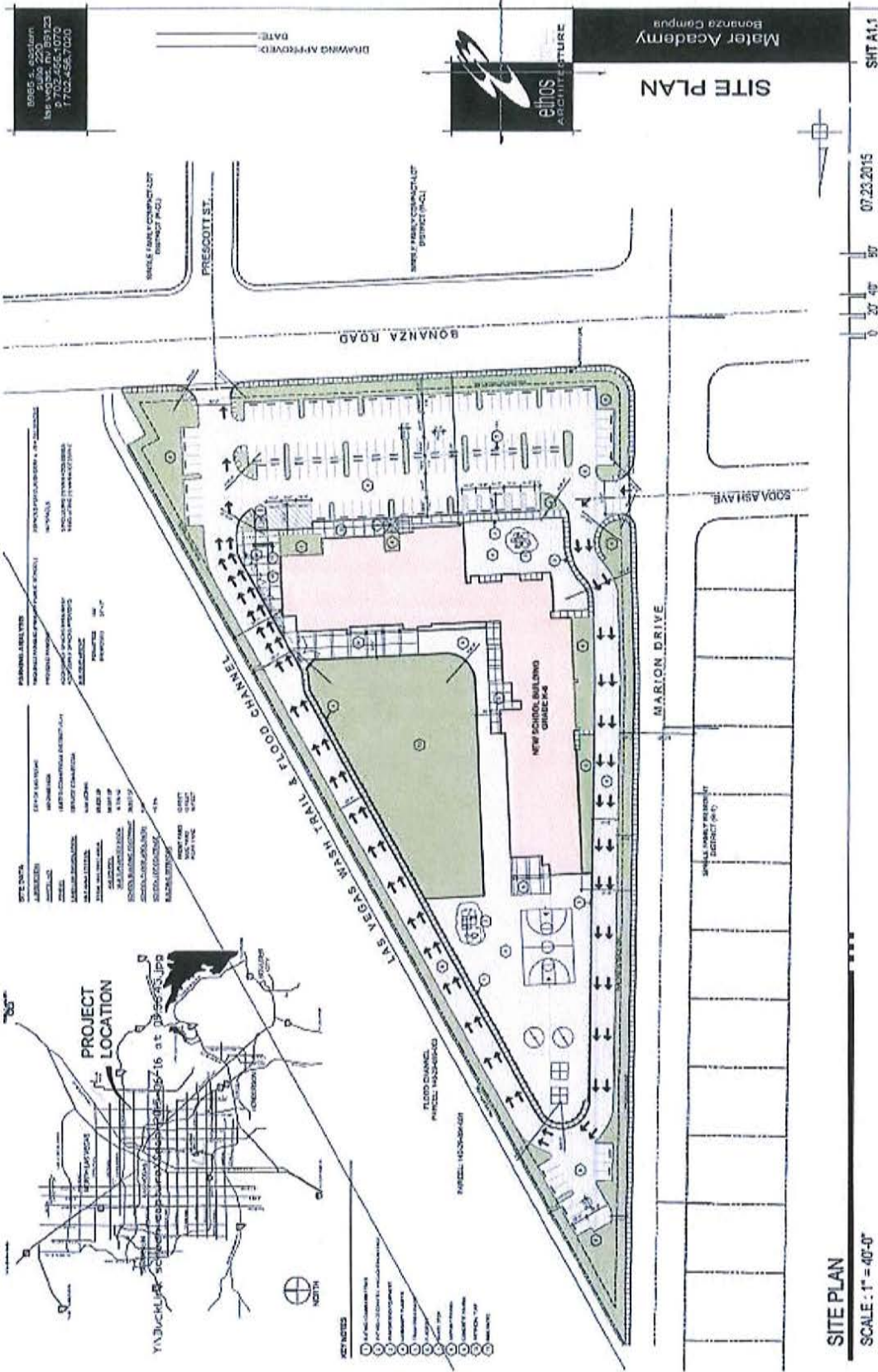
# Mater Academy Registered and Waitlist Student Map (2015-2016)



# Mater Campus Map (2016-2017)











# Mater Bonanza K-8 Campus Enrollment Projections

Grade	2016-17 Targeted Student Enrollment	2017-18 Targeted Student Counts	2018-19 Targeted Student Counts	2019-20 Targeted Student Counts	2020-21 Targeted Student Counts
K	100	100	100	100	100
1	100	100	100	100	100
2	100	100	100	100	100
3	75	100	100	100	100
4	75	75	100	100	100
5	50	75	75	100	100
6	60	60	90	90	120
7		60	60	90	90
8			60	60	90
Total	500	670	785	840	900

**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**SUPPORTING DOCUMENT**

**S U B J E C T: Quest Academy amendment  
request pursuant to NAC 386.325**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  x /  </u>	Action

MEETING DATE: August 24, 2015

AGENDA ITEM: 9

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S): Patrick Gavin, Director, State Public Charter School Authority;  
Representatives of Quest Academy**

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**FISCAL IMPACT:**

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**BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):**

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**LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 30 mins**

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**SUBMITTED BY:** \_\_\_\_\_



**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**1749 North Stewart Street Suite 40  
Carson City, Nevada 89706-2543  
(775) 687 - 9174 · Fax: (775) 687 - 9113**

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**BRIEFING MEMORANDUM**

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**TO:** SPCSA Board  
**FROM:** Patrick Gavin  
**SUBJECT:** Quest Academy amendment request pursuant to NAC 386.325  
**DATE:** August 25, 2015

---

Summary of Request:

Quest Academy has requested permission to occupy a new facility, Torry Pines, to replace the Montecito Campus it vacated this summer following the expiration of its lease for that facility.

Background

Quest Academy was approved by the State Board in July 2008 and opened that fall under a written agreement. It currently operates under a charter contract issued by the SPCSA in 2014. The school is currently in good standing in the academic framework. The school is currently in breach of contract due to organizational performance issues related to serious regulatory violations and is currently the subject of a forensic audit based on serious concerns related to recurring financial mismanagement and ongoing governance irregularities. Due to the concerns raised in its initial review of the school's financial situation, the SPCSA has suspended the issuance of the school's financial framework for the 2013-14 fiscal year pending the conclusion of the forensic audit. It is anticipated that the forensic audit will be completed early this fall and that staff will make a recommendation to the board regarding sanctions and accountability actions based on the conclusions of that investigation.

Absent SPCSA Board approval of an amendment request to pursue a new or additional facility, Quest pursued and entered into a lease agreement for the Torry Pines facility and has undertaken improvements and moved assets into the building. This is inconsistent with the process laid out in NAC 386.3265 which contemplates that schools will provide a copy of the proposed lease or acquisition documents as part of the amendment request. Consequently, the school had no authority to enter into this lease agreement until the Authority Board assented to the amendment request. This additional violation of regulation and the charter contract constitutes an additional breach which necessitates SPCSA action.

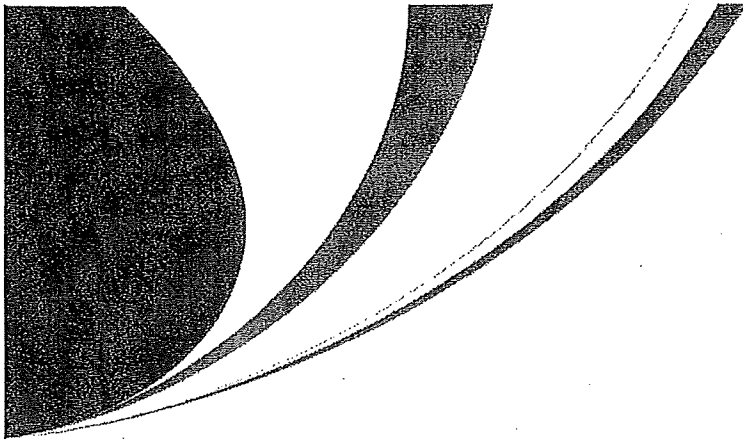
Recommendation: *Approve with Conditions*

While the school has now breached its contract on multiple occasions, the timing of this amendment request—following the first day of school on the approved school calendar—and the fact that the school has already entered into a lease and has financial obligations which can only be met if it receives DSA revenue for all pupils enrolled and attending school argue strongly for approval of the amendment request subject to additional conditions. While the Authority has every right to withhold approval of this amendment request, it is important to keep in mind that denial of would likely result in the school becoming insolvent midyear and would force hundreds of children and families to seek a new school with little or no notice. Such an outcome, if avoidable, would be less than ideal for students and their parents.

Due to the ongoing serious regulatory and contractual violations staff recommends that the Board make approval of this amendment request contingent upon the school agreeing to add a contractual provision whereby it agrees to abide by any accountability decision voted upon by the SPCSA board, including termination of the charter contract, reconstitution of the governing board with either new board members or the governing board of another charter school, or the termination of the contract and the restart of the school under a new charter contract with new adults and the same children. The school must further agree that the decision of the Authority board in this matter is binding and cannot be appealed or litigated.

In the event that the school is unwilling to agree to this provision, staff regrettably must recommend that the amendment request be denied. Under this scenario, the SPCSA board would retain the authority to close, reconstitute, or restart the school, but the school might well face insolvency prior to such an accountability action. There are options which would limit, to some degree, the impact on children and families. If necessary, SPCSA staff would notify all Quest families of the insolvency, closure, reconstitution, or restart via the parent notification functionality built into Infinite Campus. Contingent upon SPCSA board approval, Authority staff would also pursue additional options to provide families with a high quality charter school choice using the SPCSA's authority to reconstitute or restart an insolvent school to ensure that Quest students receive enrollment preference at a new school.

In the event that the school agrees to the recommended provision, staff further recommends that the contract be modified consistent with previous board action related to amendment requests. SB509 specifically permits a sponsor to require a holder of a written charter or charter contract that requests an amendment to agree to an amended and restated charter contract as a condition of approving such amendment requests. Consistent with the board's actions related to other schools in the portfolio, staff recommends that the restated contract and performance framework also specifically include the criteria set for in SB509 and other bills defining a low-performing charter or traditional public school and clarifying that a school can be placed into breach of contract or served with notice of closure based on persistent underperformance. Staff request authority to work with counsel to develop language consistent with this intent and to make technical adjustments as necessary to ensure consistency with current law. Staff further request delegated authority to furnish the approved amendment language to the school and execute the final contract modification on behalf of the Board.



August 20, 2015

Mr. Patrick Gavin, Director  
State Public Charter School Authority  
1749 N. Stewart Street, Suite 40  
Carson City, NV 89706

Director Gavin,

The Governing Board of Quest Preparatory Academy held a public meeting the evening of August 19, 2015, and at that meeting the Board voted unanimously to request authorization from the State Public Charter School Authority to amend its charter to include the addition of the relocation of the Montecito Campus to the Torrey Pines Campus. The meeting's posted agenda and subsequent minutes are included.

This correspondence supersedes all previous documentation requesting the relocation of this campus. Your and the Authority Board's attention to this request is appreciated.

Respectfully,

Debra J. Roberson, Principal  
Quest Preparatory Academy



## GOVERNING BOARD MEETING AGENDA

7495 West Azure Drive  
Las Vegas, Nevada 89130  
[www.questlv.com](http://www.questlv.com)

Governing Board President: Tim Zeidler	Governing Board Vice President: Jennifer Anlage
Governing Board Treasurer: Steve Barber	Governing Board Secretary: Jack Fleeman
Governing Board Member: Greg Barber	Governing Board Member: Bernneta Ford
Governing Board Member: Dempsey Jones III	Governing Board Member: Lucas Leavitt

**Wednesday, August 19, 2015 at 6:00PM**

**Teleconference Meeting**

**Dial In: 712-775-7031 ID 299-226#**

At the scheduled date and time of the meeting, dial into the conference line.

When prompted, enter the meeting ID followed by the pound key.

Online: <http://www.freeconferencecall.com/join/299226>

Below is an agenda of all items to be considered. Unless otherwise stated, items may be taken out of the order presented on the agenda at the discretion of the chairperson. Public comment will be taken on every action item after discussion but before action on each item, and is limited to three (3) minutes per person. Persons may not allocate unused time to other speakers. To ensure the public has notice of all matters the Board will consider, Board members may choose not to respond to public comments in order to avoid the appearance of deliberation on topics not listed for action on the agenda.

Forum restrictions and order of business: The viewpoint of a speaker will not be restricted, but reasonable restrictions may be imposed upon the time, place and manner of speech. Irrelevant and unduly repetitious statements and personal attacks that antagonize or incite others are examples of public comment that may be reasonably restricted.

Reasonable efforts will be made to accommodate physically handicapped persons desiring to attend the meeting.

### **Ceremonial Items**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Public Comment



**Informational Items:** The Board will hear the following informational items. No Board action will be taken on these items. Board members may present emergent items. No action will be taken on such items by the Board. Any item requiring Board action may be scheduled on a future Board agenda. The Board may review and discuss correspondence sent or received by the Board since the last regular meeting and may provide copies for the Board file.

5. None

**Action Items:** The Board will hold discussion on the following items. The Board will deliberate and hold discussion on these items. Action may or may not be taken on these items. When applicable, supporting documentation will be provided to the public and be available at [www.questlv.com](http://www.questlv.com).

6. **Approval of Board Meeting Minutes:** (To be presented by Governing Board Secretary, Jack Fleeman) Discussion and possible action regarding board meeting minutes dated July 11, 2015.
7. **Authorization to amend the Quest Preparatory Academy Charter:** (To be presented by President, Tim Zeidler) Discussion and possible action requesting the authorization from the State Public Charter School Authority to amend the Quest Preparatory Academy Charter to include the addition of the relocation of the Montecito Campus to the Torrey Pines Campus.
8. **Adjournment**

\*This notice and agenda have been posted on or before 9:00 a.m. on the third working day before the meeting. In accordance with section 241.020(2)(c)(2) of the Nevada Revised Statutes, all of the agenda items are subject to action and disposition by the Quest Academy Preparatory Education Governing Board, unless the agenda item specifically indicates otherwise. In accordance with NRS 241.020 this agenda closes three (3) days prior to the meeting date and has been posted on the Quest Academy website at [www.questlv.com](http://www.questlv.com) and at the following locations:

1. Quest Preparatory Academy - Alexander Campus at 7550 W. Alexander Avenue, Las Vegas, NV 89129
2. Quest Preparatory Academy - Bridger Campus at 1300 Bridger Avenue, Las Vegas, NV 89101
3. Quest Preparatory Academy - Roberson Campus at 7485 W. Azure Drive, Las Vegas, NV 89130
4. Quest Preparatory Academy Business Office at 7495 W. Azure Drive Suite #140, Las Vegas, NV 89130
5. Quest Preparatory Academy Website located at <http://www.questlv.com>

## **GOVERNING BOARD MEETING MINUTES**

**Quest Preparatory Academy  
7495 West Azure Drive  
Las Vegas, Nevada 89130  
[www.questlv.com](http://www.questlv.com)**

**Wednesday, August 19, 2015 at 6:00 PM  
Teleconference Meeting  
Dial In: 712-775-7031 ID: 299-226#**

### **Ceremonial Items**

- 1. Call to Order**
- 2. Pledge of Allegiance**
  - a. This item did not occur because meeting was conducted telephonically.
- 3. Roll Call**
  - a. Members Present: Tim Zeidler, Jennifer Anlage, Dempsey Jones III, Lucas Leavitt, Jack Fleeman, Steve Barber, and Bernneta Ford.
  - b. Member Absent: Gregory Barber
- 4. Public Comment**
  - a. None.

### **Informational Items**

- 5. None.**

### **Action Items**

- 6. Approval of Board Meeting Minutes, presented by Sect. J. Fleeman**
  - a. Discussion: V.P. J. Anlage stated Action Item 17(b)(i)(2) was incorrect and that the vote was 5-2-1. Board concurred.
  - b. Public Comment: None
  - c. Motion: Sect. J. Fleeman moved to have July 11, 2015 meeting minutes amended to reflect that V.P. J. Anlage was elected to her position by a vote of 5-2-1.
    - i. 2nd: Pres. T. Zeidler.
    - ii. Roll call vote: 7 - 0, motion passed.

(Cont. on next page)

**7. Authorization to Amend the Quest Preparatory Academy Charter, presented by Pres. T. Zeidler**

- a. Discussion: T. Zeidler explained need to request authorization from the State Public Charter School Authority (SPCSA) to amend Quest charter regarding relocation of Montecito Campus to Torrey Pines Campus.
- b. Public Comment: None.
- c. Motion: Member L. Leavitt moved to authorize Pres. T. Zeidler and Supt. Deb Roberson to request authorization from SPCSA to amend the Quest Preparatory Academy Charter to include the addition of the relocation of the Montecito Campus to the Torrey Pines Campus, and to grant said relocation.
  - i. 2nd: Sect. J. Fleeman and V.P. J. Anlage
  - ii. Roll call vote: 7 - 0, motion passed.

**8. Adjournment**



August 13, 2015

Mr. Patrick Gavin, Director  
State Public Charter School Authority  
1749 North Stewart Street Suite 40  
Carson City, Nevada 89706

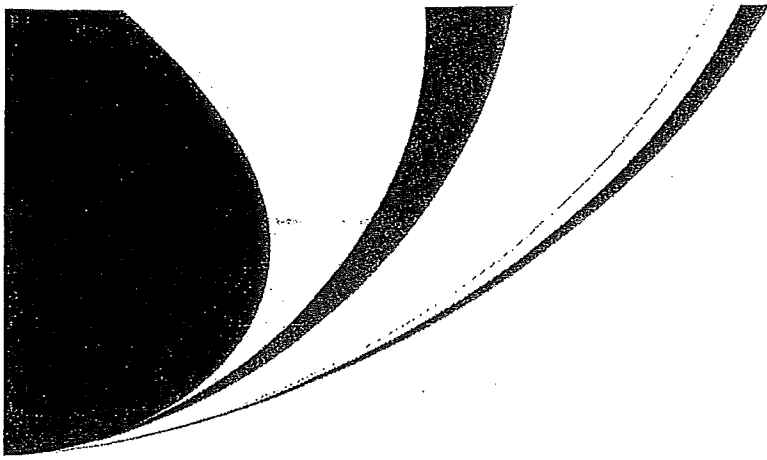
Pursuant to NRS 386.527, please consider this as a written request from the Quest Governing Board to amend its charter to allow the staff and students of the Grand Monticeto campus to move to the campus that houses buildings at 4656, 4660, and 4686 N. Rancho Drive. The building that carries the address of 4660 N. Rancho Drive will be designated as the administrative office, and it will be used as the main address for the entire campus. The campus location change was approved by the Quest Governing Board in an open meeting on March 3, 2015. The meeting agenda and minutes are included for your review.

As you are aware, this Governing Board was not notified until the end of February 2015 that the building owner would not grant us another year to lease the building on Grand Montecito Parkway. At the end of March 2015, the Governing Board found the North Rancho property, and much time and expense has already been devoted to prepare this property to house the Quest faculty and students that resided at the Montecito campus.

We respectfully request to be placed on the Authority Board's August 24<sup>th</sup> agenda to seek final approval to occupy the N. Rancho property, referred to as the Torrey Pines Campus, for the 15/16 school year and beyond. Your attention to this request is appreciated.

Timothy Zeidler, President  
Quest Governing Board

QUEST PREPARATORY ACADEMY BUSINESS OFFICE  
7495 W. AZURE DRIVE STE. 140 LAS VEGAS, NV 89130  
WWW.QUESTLV.COM



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## GOVERNING BOARD MEETING AGENDA

7495 West Azure Drive  
Las Vegas, Nevada 89130  
[www.questlv.com](http://www.questlv.com)

Governing Board President: David Olive  
Governing Board Treasurer: Jeff Egger  
Governing Board Member: Jennifer Anlage  
Governing Board Member: Lucas Leavitt  
Governing Board Member: Tim Zeidler

Governing Board Vice President: Anthony Barney  
Governing Board Secretary: Jennifer Shomshor  
Governing Board Member: Dempsey Jones III

**Tuesday, March 3, 2015 at 6:30pm**

**Location 7485 West Azure Drive, Las Vegas, NV 89130**

Below is an agenda of all items to be considered. Unless otherwise stated, items may be taken out of the order presented on the agenda at the discretion of the chairperson. Public comment will be taken on every action item after discussion but before action on each item, and is limited to three (3) minutes per person. Persons may not allocate unused time to other speakers. To ensure the public has notice of all matters the Board will consider, Board members may choose not to respond to public comments in order to avoid the appearance of deliberation on topics not listed for action on the agenda.

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Reasonable efforts will be made to accommodate physically handicapped persons desiring to attend the meeting.

### Ceremonial Items

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Public Comment



**Informational Items:** The Board will hear the following informational items. No Board action will be taken on these items. Board members may present emergent items. No action will be taken on such items by the Board. Any item requiring Board action may be scheduled on a future Board agenda. The Board may review and discuss correspondence sent or received by the Board since the last regular meeting and may provide copies for the Board file.

1. **Governing Board President Report:** Presented by Governing Board President, David Olive
2. **Governing Board Secretary Report:** Presented by Governing Board Secretary, Jennifer Shomshor
3. **Superintendent and Campus Reports:** Alexander Campus, Bridger Campus, Montecito Campus, Roberson Campus – Presented by Superintendent Deb Roberson
4. **Facilities Report:** Presented by Facilities Manager, Jim Olive
5. **Technology Report:** Presented by Director of Information Technology, Greg Galyean
6. **Communications Report:** Presented by Chief Marketing Officer, Erinn Jones
7. **Human Resources Report:** Presented by Human Resources Generalist, Teresa Barber
8. **Financial Report:** Presented by Superintendent, Deb Roberson

**Action Items:** The Board will hold discussion on the following items. The Board will deliberate and hold discussion on these items. Action may or may not be taken on these items. When applicable, supporting documentation will be provided to the public and be available at the entrance to the multipurpose room.

9. **Approval of Quest Board Meeting Minutes:** (To be presented by Governing Board Secretary, Jennifer Shomshor): Discussion and possible action regarding board meeting minutes dated February 17, 2015.
10. **Approval of Quest Board Meeting Minutes:** (To be presented by Governing Board Secretary, Jennifer Shomshor): Discussion and possible action regarding emergency board meeting minutes dated February 18, 2015.
11. **Montecito Campus Location:** (To be presented by Governing Board President, David Olive): Discussion and possible action regarding the potential relocation of the Montecito Campus and/or proposed expansion plan for acquired property.
12. **Consideration of 2015/2016 Proposed Salary Schedule:** (To be presented by Governing Board President, David Olive): Discussion and possible action regarding proposed salary schedule for support staff.
13. **Public Announcement (PA) System:** (To be presented by Facilities Manager, Jim Olive) Discussion and possible action regarding contract to install PA System at Roberson Campus.
14. **Adjournment**



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2. Quest Preparatory Academy - Bridger Campus at 1300 Bridger Avenue, Las Vegas, NV 89101
3. Quest Preparatory Academy - Montecito Campus at 6610 Grand Montecito Parkway Las Vegas, NV 89149
4. Quest Preparatory Academy - Roberson Campus at 7485 W. Azure Drive, Las Vegas, NV 89130
5. Quest Preparatory Academy Business Office at 7495 W. Azure Drive Suite #140, Las Vegas, NV 89130
6. Quest Preparatory Academy Website located at <http://questlv.com>



**MINUTES**  
**of the meeting of the**  
**QUEST PREPARATORY ACADEMY GOVERNING BOARD MEETING**  
March 3, 2015

The Quest Preparatory Governing Board held an emergency meeting on March 3, 2015, beginning at 6:30PM at the following location(s):

7485 W. Azure Drive, Las Vegas, NV 89130

Call to Order, Pledge of Allegiance and Roll Call

The meeting was called to order by President David Olive. Present were: Vice President, Anthony Barney; Secretary, Jennifer Shomshor; Member, Jennifer Anlage; Member, Dempsey Jones; Member, Lucas Leavitt; and Member, Tim Zeidler. Treasurer, Jeff Egger was not present and his absence was excused.

Also present were Superintendent, Deb Roberson, Legal Counsel, Tracy Truman, various staff members of Quest Preparatory Academy and Tower Distribution Center, LLC representative, Tony Windsor.

Public Comment

None

**INFORMATIONAL ITEMS**

**1. Governing Board President Report**

President Olive deferred to Mr. Truman who stated that the State Department had approved the school's request to employ individuals related to various board members.

**2. Governing Board Secretary Report**

Secretary Shomshor reported that six online submissions to the board website had been made between January 28, 2015 and February 23, 2015. Three were actionable items.

**3. Superintendent's and Site Administrator's Reports**

Superintendent Roberson reported that Quest is currently at 90% capacity and 90% re-enrollment. NIAA updates will be available at the April board meeting. Further reports regarding upcoming assessments and proficiency exams to be conducted on campus, including plans for SBAC as soon as made available by the State. National Junior Honor Society has been established.

Superintendent Roberson provided a report for the Alexander Campus on behalf of Tiffany Ferguson. That report indicated that students had completed 3<sup>rd</sup> quarter assessments. Celebrations for Nevada Reading Week and Spirit Week were ongoing. Field trip planned for March 11, 2015.

Superintendent Roberson provided a report for the Bridger Campus on behalf of Cherie Larson. That report indicated celebrations were ongoing for Nevada Reading Week. Teachers attending SBAC training March 9, 2015. The report further acknowledged parent volunteers.



Superintendent Roberson provided a report for the Montecito Campus on behalf of Sharon Maynard. That report included events: February 27, 2015 trip to Black History Wax Museum, Boy Scout Troop #555 Presentations and March 2 – 6 Spirit Week activities.

Superintendent Roberson responded to online submissions to the board website.

- (1) Bullying issues are being addressed through partnerships with Metro and National Guard. President Olive added that March 25, 2015 at 6:30pm the school will host a cyber crimes and sex crimes presentation for 6<sup>th</sup> graders.
- (2) Makeup work is provided by the teachers. Teachers are required to copy admin personnel on emails containing makeup work. Advise parents that if there has not been homework in a class for one week to contact the teacher directly.
- (3) Concerns over Montecito play area to be addressed in action items section.
- (4) Bake sales are permitted and encouraged as fundraisers.
- (5) Tutoring, again, is available only if volunteers are willing to provide the services. Please see previous board meeting minutes for further analysis of this issue.
- (6) Athletics program for the middle school is being considered, but will be contingent upon funding and upon the outcome of action items related to Montecito.

#### 4. Facilities Report

Facilities Manager, Jim Olive brought the following items to the attention of the board:

- (1) Research into upgrading portions of the fire and emergency response alarm system at Bridger reveal that any modification will result in the need to completely upgrade at a cost of \$18,000. Further, may result in need to install sprinkler system at a cost of \$80,000 – \$100,000. The system in place is functional and meets all code requirements.
- (2) Vandalism is a concern at Roberson and may result in increased maintenance costs.
- (3) Will present information regarding storage concerns if proposed location for new Montecito Campus is approved. Information available during April, 2015 meeting.

#### 5. Technology Report

Director of Information Technology, Greg Galyean represented that the Sprint fix appears to be working, however there are still some glitches with Smoothwall. In a meeting held with Sprint it is represented that the past due bill is in negotiations with legal counsel. As of February, 2015 Quest is paying the anticipated monthly payment for services based upon the, still unapproved, e-rate. Another meeting with Sprint will be conducted to discuss hardware. Quotes are still being collected to replace the service.

#### 6. Communications Report

Chief Marketing Officer, Erinn Jones reported that data is pending on the student surveys and that she is beginning work on the parent surveys. Further, she is in preliminary planning stages for new enrollment marketing and will be requesting a meeting with Superintendent Roberson to determine how to proceed.

#### 7. Human Resources Report

Human Resources Generalist, Teresa Barber reported that she is receiving questions from employees regarding contracts for the 2015/2016 school year. Other schools and the District are starting to disseminate these. Concerns over job security.



## 8. Financial Report

Superintendent Deb Roberson presented a report indicating that Quest's monthly net income is \$111,961.82.

Secretary Shomshor inquired about the status of the bridge loans and was made aware that all bridge loans had been paid off. Further inquiry revealed that the line-item on the financial report identified as "Houghton Mifflin" relates to curriculum.

## ACTION ITEMS

### 9. Approval of Quest Board Meeting Minutes from February 17, 2015 meeting.

Secretary Shomshor presented the draft minutes followed by board discussion and public comment.

On motion by Secretary Shomshor, seconded by Vice President Barney, and approved with a 7 – 1 vote (Member Leavitt, nay, Treasurer Egger, absent):

Accept the minutes of the February 17, 2015 meeting as presented.

### 10. Approval of Quest Board Meeting Minutes from February 18, 2015 emergency meeting.

Secretary Shomshor presented the draft minutes followed by board discussion and public comment.

On motion by Vice President Barney, seconded by Secretary Shomshor, and approved by unanimous vote (Treasurer Egger, absent):

Accept the minutes of the February 18, 2015 meeting as presented with the an update to reflect the name of the real estate agent as Suzanne Moore and to add the lease proposal as exhibit 1.

### 11. Montecito Campus Location: discussion and possible action regarding the potential relocation of the Montecito Campus and/or propped expansion plan for acquired property.

Mr. Truman reported that the current lease at the Montecito Campus extends until June, 2015 with an option to extend. Quest has attempted to exercise the option with the landlord, Imagine. In January, 2015 Imagine stated they were unable to provide a decision on the request to extend. In February, 2015 the property was listed for sale. Imagine continues to fail to respond to Quest inquiries regarding lease extension.

President Olive reported that numerous potential sites for the Montecito Campus had been considered. The current proposal comes from the landlord of the Roberson Campus, Tracy Windsor. This location, referred to as "Torrey Pines" currently has three buildings and could have portables to allow for 700 – 750 kids for the 2015/2016 school year.

Mr. Windsor presented to the board regarding the Torrey Pines location. His report included comparison demographic information, an initial site plan and a future site plan to incorporate growth from 700 children served to nearly 2000 children served. The proposed lease agreement is attached hereto as Exhibit 1.

Member Zeidler expressed concern over timelines for opening in August, 2015. By centralizing control of the construction management some of the pitfalls association with the Roberson build-out should be avoided.



Vice President Barney expressed concern over re-zoning the proposed property. This property was previously under consideration for re-zoning as an E-Class special use permit for another school, Somerset, but the school ran out of money before the zoning could be completed. There is no concern as to zoning anticipated at this time. However the timeline will be short and the issue must be presented before the commission at the next meeting, March 26, 2015.

Secretary Shomshor inquired as to additional demographic information regarding household income in the two comparative areas (Current Montecito v. Torrey Pines). The data between the two was comparable.

Member Zeidler inquired regarding the ability to incorporate parents and teachers in the build-out process and design of the new location. While possible and desired, this will require immediate action and doing so cannot result in delay.

Vice President Barney expressed concern over the August 1, 2015 occupancy date. The first day building permits can be issued is May 22, 2015. With construction proceeding on-time an earlier occupancy date may be possible.

Secretary Shomshor expressed concern over the ability of the school to expand to the extent presented and the right of the landlord to exercise other options with the additional land. Quest maintains the right of first refusal. The growth point would not need to reach the extent presented.

Public Comment: Bill Jones and Ann Vanhooven.

On motion by Secretary Shomshor, seconded by Vice President Barney, and approved by unanimous vote (Treasurer Egger, absent).

Consider the lease as presented for the Torrey Pines location.

Lease terms discussed:

- (a) Definition and consistency of usage for "original term" and "extended term"
- (b) Addition of terms in the lease regarding future expansion
- (c) Section 2.02 and 13.03 and anywhere else it may be indicated, occupancy can be achieved after deposit, thus allowing for the potential occupancy before August 1, 2015.
- (d) Article 3 requires a delineation of landlord and tenant responsibilities as to common areas, landscaping and maintenance.
- (e) Section 4.05(a) stricken.
- (f) Section 5.02 and anywhere else where it may be indicated, reference to CC&R's will be re-worded and/or stricken as they are not applicable to this property.
- (g) Section 5.03(c)(5) stricken.
- (h) Section 13.12 stricken as moot because the guaranty requires only Quest to sign and there are then only two parties to the contract.
- (i) Portables are optional and if utilized would be rented at the rate of \$1.40/sf.

Mr. Windsor advised that portable units were not included in the cost as presented. After a short calculation it was determined that those units would provide space for approximately 208 students at a cost of approximately \$9,500 per month. Thus, the property being rented under the contract as presented would only accommodate 520 students without the use of portables. The portable units will be included in design but do not have to be used if enrollment numbers do not require them.

Mr. Windsor further advised that the partners investing in the project would not be willing to consider a lease to purchase option.



Public Comment: None

On motion by Secretary Shomshor, seconded by Vice President Barney, and approved by unanimous vote (Treasurer Egger, absent):

Subject to the successful cancellation of the offer to extend the lease with Imagine at the current Montecito Campus location, and pending the following modifications to the lease agreement as presented:

- (a) Definition and consistency of usage for "original term" and "extended term"
  - (b) Addition of terms in the lease regarding future expansion
  - (c) Section 2.02 and 13.03 and anywhere else it may be indicated, occupancy can be achieved after deposit, thus allowing for the potential occupancy before August 1, 2015.
  - (d) Article 3 requires a delineation of landlord and tenant responsibilities as to common areas, landscaping and maintenance.
  - (e) Section 4.05(a) stricken.
  - (f) Section 5.02 and anywhere else where it may be indicated, reference to CC&R's will be re-worded and/or stricken as they are not applicable to this property.
  - (g) Section 5.03(c)(5) stricken.
  - (h) Section 13.12 stricken as moot because the guaranty requires only Quest to sign and there are then only two parties to the contract.
  - (i) Portables are optional and if utilized would be rented at the rate of \$1.40/sf.
- Accept the Tower Distribution Center lease, after final review by legal counsel, and authorize President Olive to sign on behalf of the Quest Governing Board.

#### 12. Consideration of 2015/2016 Proposed Salary Schedule

President Olive tabled this action item to the April, 2015 board meeting.

#### 13. Public Announcement (PA) System

President Olive tabled this action item to the April, 2015 board meeting.

#### 14. Adjournment

T. James Truman

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**T. JAMES TRUMAN & ASSOCIATES**

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July 31, 2015

**Via Regular and Electronic Mail**

Patrick Gavin, Director  
STATE PUBLIC CHARTER SCHOOL AUTHORITY  
1749 North Stewart Street, Suite 40  
Carson City, Nevada 89706-2543

Re: **Quest Preparatory Academy re: Lease of Real property**

Dear Mr. Gavin:

As you may recall, this office represents Quest Preparatory Academy with regard to its intended lease of the real property located at 4656 North Rancho Drive, Las Vegas, Nevada 89130. Please be further advised that Quest Preparatory Academy desires SPCSA approval of this change in location prior to the upcoming school year. The first day of classes at Quest will be held August 17, 2015.

This new location was necessitate by the recent termination in Quest's lease at its Montecito campus facility which housed the K through 6<sup>th</sup> grades. Under the terms of that Lease, Quest's lease term ended June 30, 2015, unless the landlord agreed to an extension of the Lease. However, the Montecito landlord elected to not extend the term of the lease. Unfortunately, Quest did not receive notice of the landlord's intent until March, 2015, and Quest vacated the Montecito facilities June 30, 2015. Quest thereafter used its best efforts to find a new campus for the K through 6<sup>th</sup> students who had already indicated a desire to enroll at Quest for the upcoming 2015-2016 school year. As you may be aware, it is extremely difficult to find existing facilities in northwest Las Vegas (where most Quest students live) that will accommodate a large charter school, given factors such as land use restrictions, zoning requirements, cost of rents and so forth.

Fortunately for Quest, it was able to locate a new facility (commonly referred to by Quest students and personnel as the "Torrey Pines" campus, given its relationship to Torrey Pines Drive). This facility was originally designed as single-story business offices and administration facilities. The prior owner apparently lacked funding to complete the project and it was never finished or occupied. Quest was able to negotiate a favorable lease for the facility and uploaded the lease to Epicenter March 20, 2015 at a monthly base rent of \$11,000.00 per month less than the base rent Quest paid for the Montecito property, equating to an annual savings of \$132,000.00. The lease was marked "approved" on Epicenter on March 24, 2015.

Given the construction and land use requirements that needed to be completed on the project, the landowner has moved full speed ahead with renovations, remodeling and construction of the premises. The Quest Governing Board is excited that this facility will not only house all of the current Montecito students, but will allow Quest a more permanent location with the potential to increase its enrollment in the future.

Pursuant to NAC 386.3265, Quest seeks to amend its charter to add this Torrey Pines campus facility. Accordingly, please find enclosed copies of the following documents as specified in NAC 386.3265:

(a) The address of the facility. **4656, 4660, and 4686 North Rancho Drive, Las Vegas, Nevada 89130.**

(b) The type of facility. **The facility was originally constructed as a group of single-story offices and administration offices. The facilities are currently being remodeled to be classrooms, an administrative office and kitchen.**

(c) A floor plan of the facility, including a notation of the size of the facility which is set forth in square feet. **See copy attached.**

(d) The name and address of the owner of the facility. **The facility was originally owned by Tower Distribution, LLC, and the lease for the facility set forth Tower Distribution, LLC as the owner/landlord. Subsequent to the execution of the Lease, Tower Distribution, LLC assigned its interest in the Lease to LaVar Winsor. The landlord's address is 7495 West Azure Drive, Las Vegas, Nevada 89130**

(e) If the facility will be leased or rented, a copy of the proposed lease or rental agreement. **A copy of the lease agreement was uploaded to Epicenter March 20, 2015, and approved by Allyson Kellogg on March 24, 2015.**

(f) A copy of the certificate of occupancy for the facility. **The certificate will be provided by the contractor who is completing the work on the premises, which is anticipated to be within a week. Documentation will be uploaded immediately upon receipt.**

(g) Documents which indicate that the facility has been inspected and meets the requirements of any applicable building codes, codes for the prevention of fire, and codes pertaining to safety, health and sanitation. **Please see attached documents. Documentation will be uploaded immediately upon receipt.**

(h) Evidence which demonstrates that the governing body of the charter school has communicated with the Division of Industrial Relations of the Department of Business and Industry regarding compliance with the federal Occupational Safety and Health Act of 1970, as amended. **Compliance Science is a contracted safety vendor which has provided support to Quest in this area for the past several years. Quest continues to contract with this company to ensure compliance, and training has been scheduled with Nevada Registry for August 10, 2015 for all staff. Documentation of training and services will be uploaded immediately upon completion.**

July 29, 2015

Page 3

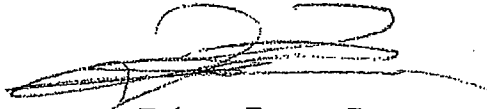
(i) Documentation which demonstrates that the governing body of the charter school has obtained the insurance required by NAC 386.215 for the proposed facility. **Attached please find the relevant insurance documentation.**

Pursuant to NAC 386.3265, the SPCSA is to review this matter and provide to Quest approval or denial of the proposed transfer of facilities within ten (10) days of receipt of the above materials. This time frame is extremely important to Quest because classes at Quest have been advertized to start on August 17, 2015. The Quest Board feels that this proposed location provides a tremendous opportunity for Quest's long-term needs as Quest can "grow into" existing space at the new campus as its student numbers require. As a result, the Quest Governing Board respectfully requests your approval to amend Quest's charter to substitute this facility for the Montecito facility.

Thank you in advance for your professional courtesies and if you have any questions concerning the foregoing, please let me know.

Sincerely,

T. JAMES TRUMAN & ASSOCIATES

A handwritten signature in dark ink, appearing to read 'T. James Truman', is written over a horizontal line.

T. James Truman, Esq.

TJT/br  
cc: client  
Enclosures

T. James Truman

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August 12, 2015

**Via Regular and Electronic Mail**

pgavin@spcsa.nv.gov

Patrick Gavin, Director  
STATE PUBLIC CHARTER SCHOOL AUTHORITY  
1749 North Stewart Street, Suite 40  
Carson City, Nevada 89706-2543

**Re: Quest Preparatory Academy re: Lease of Real property**

Dear Mr. Gavin:

My office previously corresponded with you concerning the request by Quest Preparatory Academy to approve its intended lease of the real property located at 4656 North Rancho Drive, Las Vegas, Nevada 89130. Following my letter, Gregg Ott, Esq. was kind enough to provide a response to my letter and point out several areas where Quest's application was deficient. Specifically, Mr. Ott advised that in lieu of the required Certificates of Occupancy for the subject property, Quest could provide a construction schedule, complete with anticipated completion dates and critical path information. To that end, I am pleased to enclose the required construction schedule, critical path time line, and related documents as specified in Mr. Ott's letter.

In addition, Mr. Ott advised that Quest needed to provide documentation demonstrating that the governing Board has communicated with the Division of Industrial Relations of the Department of Business and Industry regarding compliance with the federal OSHA regulations. Attached hereto is the referenced documentation which satisfies this request.

Mr. Ott's letter also indicated that Quest needed to provide the inspections for fire, electrical and so forth for the subject property. Please see the enclosed construction schedule, critical path time line, and related documents in lieu of the inspections.

Finally, I have attached several photographs of the proposed project which, although not required, may assist the Board in its review of the project. As I mentioned previously, with the loss of the Montecito campus and the reduction in size of the Roberson campus, the Torrey Pines campus is absolutely essential to the continued operation of Quest; without the Torrey Pines campus, Quest will be unable to meet its financial obligations and would be forced to close, resulting in the displacement of 1,500 students who will have to seek enrollment in schools elsewhere.

With the attached documents, I trust that Quest's application to amend its charter to approve the Torrey Pines lease and facility is now complete and will be placed on the August 24 Board calendar.

In summary, Quest seeks to amend its charter to add this new location (commonly referred to by Quest students and personnel as the "Torrey Pines" campus, given its relationship to Torrey Pines Drive). Accordingly, please find enclosed, copies of the following documents as specified in NAC 386.3265:


- (a) The address of the facility. 4656 North Rancho Drive, Las Vegas, Nevada 89130.
- (b) The type of facility. The facility was originally constructed as a group of single-story offices and administration offices. The facilities are currently being remodeled to be classrooms, an administrative office and kitchen.
- (c) A floor plan of the facility, including a notation of the size of the facility which is set forth in square feet. Copy previously provided.
- (d) The name and address of the owner of the facility. The facility was originally owned by Tower Distribution, LLC, and the lease for the facility set forth Tower Distribution, LLC as the owner/landlord. Subsequent to the execution of the Lease, Tower Distribution, LLC assigned its interest in the Lease to LaVar Winsor. The landlord's address is 7495 West Azure Drive, Las Vegas, Nevada 89130.
- (e) If the facility will be leased or rented, a copy of the proposed lease or rental agreement. A copy of the lease agreement was uploaded to Epicenter March 20, 2015, and approved by Allyson Kellogg on March 24, 2015.
- (f) A copy of the certificate of occupancy for the facility. Attached please find the construction scheduling documents, critical path and related documents.
- (g) Documents which indicate that the facility has been inspected and meets the requirements of any applicable building codes, codes for the prevention of fire, and codes pertaining to safety, health and sanitation. Please see attached documents.
- (h) Evidence which demonstrates that the governing body of the charter school has communicated with the Division of Industrial Relations of the Department of Business and Industry regarding compliance with the federal Occupational Safety and Health Act of 1970, as amended. Please see attached documents.
- (i) Documentation which demonstrates that the governing body of the charter school has obtained the insurance required by NAC 386.215 for the proposed facility. The relevant insurance documentation was previously provided.

August 12, 2015  
Page 3

Thank you in advance for your professional courtesies and if you have any questions concerning the foregoing, please let me know.

Sincerely,

T. JAMES TRUMAN & ASSOCIATES

A handwritten signature in dark ink, appearing to read 'T. James Truman', written over a horizontal line.

T. James Truman, Esq.

TJT/br  
cc: client  
Gregory D. Ott, Esq.  
Enclosures

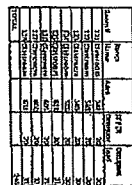
Item No.	Task Name	Duration (Days)	Start Date	End Date	Progress (%)	Remarks
1	Site Preparation	45 days	01/01/15	15/02/15	100%	
2	Foundation Work	45 days	01/02/15	15/03/15	100%	
3	Structural Framework	15 days	16/02/15	03/03/15	100%	
4	Roofing Work	15 days	16/02/15	03/03/15	100%	
5	Internal Wall Construction	30 days	16/02/15	16/03/15	100%	
6	External Wall Construction	30 days	16/02/15	16/03/15	100%	
7	Roofing Work	30 days	16/02/15	16/03/15	100%	
8	Internal Wall Construction	30 days	16/02/15	16/03/15	100%	
9	External Wall Construction	30 days	16/02/15	16/03/15	100%	
10	Roofing Work	30 days	16/02/15	16/03/15	100%	
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15	External Wall Construction	30 days	16/02/15	16/03/15	100%	
16	Roofing Work	30 days	16/02/15	16/03/15	100%	
17	Internal Wall Construction	30 days	16/02/15	16/03/15	100%	
18	External Wall Construction	30 days	16/02/15	16/03/15	100%	
19	Roofing Work	30 days	16/02/15	16/03/15	100%	
20	Internal Wall Construction	30 days	16/02/15	16/03/15	100%	
21	External Wall Construction	30 days	16/02/15	16/03/15	100%	
22	Roofing Work	30 days	16/02/15	16/03/15	100%	
23	Internal Wall Construction	30 days	16/02/15	16/03/15	100%	
24	External Wall Construction	30 days	16/02/15	16/03/15	100%	
25	Roofing Work	30 days	16/02/15	16/03/15	100%	
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30	External Wall Construction	30 days	16/02/15	16/03/15	100%	
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35	Internal Wall Construction	30 days	16/02/15	16/03/15	100%	
36	External Wall Construction	30 days	16/02/15	16/03/15	100%	
37	Roofing Work	30 days	16/02/15	16/03/15	100%	
38	Internal Wall Construction	30 days	16/02/15	16/03/15	100%	
39	External Wall Construction	30 days	16/02/15	16/03/15	100%	
40	Roofing Work	30 days	16/02/15	16/03/15	100%	
41	Internal Wall Construction	30 days	16/02/15	16/03/15	100%	
42	External Wall Construction	30 days	16/02/15	16/03/15	100%	
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47	Internal Wall Construction	30 days	16/02/15	16/03/15	100%	
48	External Wall Construction	30 days	16/02/15	16/03/15	100%	
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50	Internal Wall Construction	30 days	16/02/15	16/03/15	100%	
51	External Wall Construction	30 days	16/02/15	16/03/15	100%	
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54	External Wall Construction	30 days	16/02/15	16/03/15	100%	
55	Roofing Work	30 days	16/02/15	16/03/15	100%	
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81	External Wall Construction	30 days	16/02/15	16/03/15	100%	
82	Roofing Work	30 days	16/02/15	16/03/15	100%	
83	Internal Wall Construction	30 days	16/02/15	16/03/15	100%	
84	External Wall Construction	30 days	16/02/15	16/03/15	100%	
85	Roofing Work	30 days	16/02/15	16/03/15	100%	
86	Internal Wall Construction	30 days	16/02/15	16/03/15	100%	
87	External Wall Construction	30 days	16/02/15	16/03/15	100%	
88	Roofing Work	30 days	16/02/15	16/03/15	100%	
89	Internal Wall Construction	30 days	16/02/15	16/03/15	100%	
90	External Wall Construction	30 days	16/02/15	16/03/15	100%	
91	Roofing Work	30 days	16/02/15	16/03/15	100%	
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95	Internal Wall Construction	30 days	16/02/15	16/03/15	100%	
96	External Wall Construction	30 days	16/02/15	16/03/15	100%	
97	Roofing Work	30 days	16/02/15	16/03/15	100%	
98	Internal Wall Construction	30 days	16/02/15	16/03/15	100%	
99	External Wall Construction	30 days	16/02/15	16/03/15	100%	
100	Roofing Work	30 days	16/02/15	16/03/15	100%	

### **Temporary Certificate of Occupancy**






Verbal confirmation was given on Monday, August 20, 2015 by

- Drake Cherry – Fire Inspector, City of Las Vegas
- Tom Craig – Combination Inspector, City of Las Vegas

Final documentation will be uploaded to Epicenter when received.

[illegible]

## KEY NOTES

- |   |  |
|---|--|
|  | AREA   |
|  | OCCUPANCY LOAD MULTIPLIER<br>PERCENT LOAD        |
|  | NUMBER OF OCCUPANTS<br>PER 100 SQ. FT.           |
|  | EXIT LOCATION WITH<br>EXIT ACTIVITY PERCENT LOAD |
|  | FIRE EXIT MULTIPLIER<br>CAREER<br>PERCENT LOAD   |

DESIGN-BUILDERS

1. The first step is to identify the problem.
 2. The second step is to define the problem.
 3. The third step is to analyze the problem.
 4. The fourth step is to develop a solution.
 5. The fifth step is to implement the solution.
 6. The sixth step is to evaluate the solution.
 7. The seventh step is to monitor the solution.
 8. The eighth step is to maintain the solution.
 9. The ninth step is to improve the solution.
 10. The tenth step is to document the solution.

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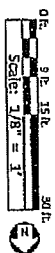
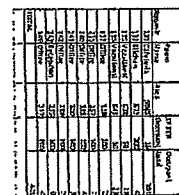

## Partial Diferentials

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**Q** I have been told that if you are a person who has a history of alcohol abuse, you should not drink at all. Is this true? If so, how much alcohol can I safely consume?

**A** The answer to your question depends on whether or not you are currently drinking alcohol. If you are currently drinking alcohol, it is important to limit your intake to no more than one drink per day for women and two drinks per day for men. This is because excessive alcohol consumption can lead to liver damage, heart disease, and other health problems. If you are not currently drinking alcohol, it is generally recommended that you do not start drinking again.

AREA	ACID ANTICATALYST FACTOR PER 100 GALL
NUMBER OF DOCS ARE PER 100 GALL	◆
SHIPPING LOCATION AND QUANTITY AVAILABLE	▽
PER CENT AVAILABLE FERTILIZER	☐
PLANT AVAILABLE NUMBER	1
PERCENT AVAILABLE	11

**Chemical**  
From Atomic Personal and  
Industrial Regulatory Agency (2)  
1994-1995, 1996-1997  
AAB (2)



BUILDING 3  
4660  
LIFE SAFETY  
A0.01





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
07/30/2015

<b>PRODUCER</b> Distinctive Insurance 8375 W Flamingo Road, Suite 102 Las Vegas, NV 89147	<b>THIS CERTIFICATION IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.</b>												
<b>INSURED</b> Quest Academy Preparatory Education 7495 W Azure Drive, Suite 140 Las Vegas, NV 89130	<table border="1"><tr><td><b>INSURERS AFFORDING COVERAGE</b></td><td><b>NAIC #</b></td></tr><tr><td>INSURER A: Philadelphia Indemnity Insurance Company</td><td></td></tr><tr><td>INSURER B:</td><td></td></tr><tr><td>INSURER C:</td><td></td></tr><tr><td>INSURER D:</td><td></td></tr><tr><td>INSURER E:</td><td></td></tr></table>	<b>INSURERS AFFORDING COVERAGE</b>	<b>NAIC #</b>	INSURER A: Philadelphia Indemnity Insurance Company		INSURER B:		INSURER C:		INSURER D:		INSURER E:	
<b>INSURERS AFFORDING COVERAGE</b>	<b>NAIC #</b>												
INSURER A: Philadelphia Indemnity Insurance Company													
INSURER B:													
INSURER C:													
INSURER D:													
INSURER E:													

## COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.							
INSR	ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	Y		<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Abuse or Molestation <input checked="" type="checkbox"/> Prof Educators Legal Liab GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	PHPK1361237	07/01/2015	07/01/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Employee Benefits \$ 1,000,000
A			<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	PHPK1361237	07/01/2015	07/01/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
			<b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
A	Y		<b>EXCESS/UMBRELLA LIABILITY</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION \$ 10,000	PHUB506586	07/01/2015	07/01/2016	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000 \$ \$ \$
			<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATUTORY LIMITS <input type="checkbox"/> OTHER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A			<b>OTHER</b> Directors & Officers Management Liab / Employment Practices Liability	PHSD1057423	07/01/2015	07/01/2016	\$1,000,000 ea claim/ \$1,000,000 aggregate \$1,000,000 ea claim/ \$1,000,000 aggregate

## DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Insured Locations: 7550 W Alexander Rd, Las Vegas NV 89129; 1300 Bridger Ave, Las Vegas NV 89101; 7485 W Azure Dr, Las Vegas NV 89130; 7495 W Azure Dr, Las Vegas NV 89130; 4656 N Rancho Dr, Las Vegas NV 89130; 4660 N Rancho Dr, Las Vegas NV 89130; 4686 N Rancho Dr, Las Vegas NV 89130  
The Nevada State Public Charter School Authority is named as Additional Insured.  
Educators Management Liability includes D&O and E&O coverage. Employee Benefits Liability \$1,000,000 each claim / \$2,000,000 aggregate.

## CERTIFICATE HOLDER

Nevada State Public Charter School Authority  
1749 Stewart Street, Suite 40  
Carson City, NV 89706

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

## **IMPORTANT**

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

## **DISCLAIMER**

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

STATE OF NEVADA

BRIAN SANDOVAL  
*Governor*

BRUCE BRESLOW  
*Director*



STEVE GEORGE  
*Administrator*

TODD R. SCHULTZ CSP, CSHM  
*Chief Administrative Officer*

DEPARTMENT OF BUSINESS AND INDUSTRY  
DIVISION OF INDUSTRIAL RELATIONS  
SAFETY CONSULTATION AND TRAINING SECTION

August 12, 2015

Ms. Debra Roberson  
Principle  
Quest Preparatory Academy  
4660 North Rancho Drive  
Las Vegas, NV 89130

Dear Ms. Roberson:

This letter confirms your August 12, 2015 request for a full on-site consultation survey.

We would like to commend you on your decision to seek our assistance to help improve your company's safety and health programs.

As soon as our schedule permits, one of our consultants will contact you to arrange a date and time for your consultation visit.

To assist us in providing you with an efficient and productive visit, we request that the following information be made available to our consultant during the onsite visit: certificate of workers compensation insurance; the Log of Work-Related Injuries and Illnesses (OSHA Form 300) and associated documentation; any written materials developed for your business that address health and safety issues; any written safety and health programs; safety training program outlines and documentation of training completed; and Safety Data Sheets (SDS's) for all chemicals, batch materials, or similar commercial and industrial products in use at your facility.

While not required, we request that the company's officer-in-charge participate in the consultation visit opening conference so that they can be made aware of the services to be provided and of the employer's responsibilities associated with using our service. We also encourage you to allow employee participation in our visit since the outcome of our survey will directly affect your workforce.

In addition, if you have a union work force, an employee representative must be offered the opportunity to participate in the opening conference, physical inspection of the facility, and the closing conference. If there is an objection to holding joint opening and closing conferences, the consultant will conduct separate conferences with the employer and the employee.

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www.4safenv.state.nv.us

representatives. If you have a union workforce, please ensure that the employee representatives are notified of the opening and closing conference dates and times.

The consultation program is designed to help you establish and maintain a safe and healthful workplace. We look forward to working with you to implement an effective safety and health program that will improve productivity and reduce occupational injuries and illnesses.

If you need any assistance with occupational safety and health issues before we are able to schedule a consultation visit, please call our office and request to speak with one of our consultants.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bob Harris', with a stylized flourish at the end.

Bob Harris  
Consultation Supervisor

**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**SUPPORTING DOCUMENT**

**S U B J E C T: Consideration of Willie H.  
Brooks Soar Academy request for an extension  
of Subsection 7 per NAC 386.240(1)**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  x  /  </u>	Action

MEETING DATE: August 24, 2015

AGENDA ITEM: 10

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S): Patrick Gavin, Director, SPCSA; Tami Bass, Willie H. Brooks Soar Academy**

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**FISCAL IMPACT:**

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**BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):**

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**LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 30 mins**

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**SUBMITTED BY:** \_\_\_\_\_



**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**1749 North Stewart Street Suite 40  
Carson City, Nevada 89706-2543  
(775) 687 - 9174 · Fax: (775) 687 - 9113**

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**BRIEFING MEMORANDUM**

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**TO:** SPCSA Board  
**FROM:** Patrick Gavin, Nya Berry, and Joan Jurgensen  
**SUBJECT:** Staff Recommendation re: Consideration of Willie H. Brooks Soar Academy request for an extension of Subsection 7 per NAC 386.240(1)  
**DATE:** August 21, 2015

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Summary of Request

Willie H. Brooks Soar Academy has requested Board consideration an extension of its Subsection 7 charter per NAC 386.240(1).

Background

At the Friday, June 12, 2015 SPCSA Board meeting, the SPCSA Board requested that the governing board of Willie H. Brooks Soar Academy submit into Epicenter evidence that it had met the preopening requirements and statutory and regulatory mandates required of charter school boards, including but not limited to evidence of quarterly board meetings and compliance with Open Meeting Law. Staff furnished the school with access to Epicenter on Monday, June - 15, 2015 and have engaged in extensive email correspondence with the school since that time both to provide technical assistance and to address other questions. SPCSA staff have also met face to face with the school's representative to provide additional guidance and clarification. Despite significant technical assistance, the school has been unable to follow required SPCSA submission procedures or timelines. The school has required multiple extensions to submit basic documents and ultimately resorted to emailing documentation to a helpful SPCSA staff member due to the governing board and its designated representative's challenges in utilizing the online document management portal required of all SPCSA schools. This combination of failure to adhere to deadlines and the inability of the school to follow submission procedures has resulted in significant delays in the analysis of evidence furnished by the school. Moreover, this failure to follow established procedures also exposes the school to the risk that some detail may be missed which the school believes is significant but which is not clearly evident to reviewers due to the failure to provide complete and compliant information in the required format.

Based on a review of the Authority's records, Willie H. Brooks Soar Academy was approved by the State Board of Education and issued a subsection 7 charter in 2011. That charter was scheduled to expire on June 30, 2013 and was extended by the SPCSA for an additional year at the request of the school. SPCSA staff reviewed Pre-Opening requirements using the checklist established following the request for extension. Willie H. Brooks Soar Academy provided Board minutes for years 2011, 2012, 2013, 2014, and 2015. The Board minutes document turnover of governing body members across time and multiple instances where the school elected to amend its bylaws to address the fluctuating composition of the board. The instability and lack of commitment of the board evidenced in the minutes raise serious concerns about the depth and breadth of support and mission orientation of the initial governing board and successor board members.

In multiple instances, the school's minutes indicate that the governing board voted to amend elements of the charter, including the number of board members and the proposed starting grade level for the school. There is no evidence that these amendments were submitted to either NDE or the SPCSA for review and approval either in the form of supporting documentation and exhibits or update agenda items on subsequent board materials.

There are additional discrepancies and omissions which demonstrate a lack of understanding of the importance of maintaining compliant minutes. The minutes submitted do not consistently reflect approval of previous meeting minutes and it is frequently unclear which minutes were approved at a particular meeting. In a number of cases, minutes labeled as draft were included and it is unclear when or if those draft minutes were subsequently reviewed and approved by the governing board. Specifically, the records submitted do not clearly identify which minutes were approved at a particular board meeting. Instead of identifying the specific meeting date in the agenda or minutes, references to minutes approval are either omitted in some agendas or the agenda and minutes simply state that minutes from previous meetings were approved.

Moreover, agendas were submitted indicating meetings scheduled to be held, with no subsequent minutes provided to document that the meeting occurred nor the business conducted therein.

Finally, based on discussion with the volunteer representative of the governing board, it appears that there are some cases where the minutes supplied which are not labeled as drafts may not be in final form—the representative noted that she needs to go in and make changes to some of the minutes when she has the time to do so. This raises concerns regarding the accuracy and completeness of the minutes which were supplied.

The minutes supplied provide little evidence that the governing board took appropriate action to ensure the timely opening of the school. Willie H. Brooks Soar Academy was not able to provide substantial documentation showing that the board had approved the acquisition of a location for operation in July 2011. While a copy of an email from a state employee to the volunteer representative of the school indicates that there was an NDE/SPCSA staff review of a proposed facility in August of 2011, the board minutes do not reflect review and approval of a lease agreement nor approval of any other elements necessary to meet the facilities pre-opening requirements. Board minutes suggest that while volunteer staff identified a location and that funds were disbursed from an undocumented source for facility improvement, the record is silent regarding any official board action to move forward with such activities. To the degree that such activities did occur, it does not appear that they were conducted following a formal vote by the governing board. Consistent with previous board discussions with volunteer staff, there is some evidence that the volunteer staff briefed the governing body on changes in the enrollment projections, with information indicated a 150 student projection in 2011 and a 50 student projection a year later in 2012. There is no evidence that the board engaged in any oversight or

approval of these changes. There is no mention of any board review or approval of such a significant modification to the budget, for example.

Subsequent to the granting of a one-year extension, the SPCSA Board adopted a policy requiring that any holder of a subsection charter or charter contract submit a new charter application in the event that the school did not commence operations within two years of charter approval. The subsection 7 charters expired June 30, 2014 and pursuant to the aforementioned policy, was not renewed by the SPCSA Board.

Recommendation: Deny and Encourage Board to Apply in Winter 2016 Cycle

Staff deeply appreciate the passion and commitment of the Willie H. Brooks Soar Academy board and the dedicated volunteer staff who have continued to advocate on behalf of the school. Based on a review of the documentation furnished by the school's volunteer staff person and an assessment of the track record of the school during the period of its subsection 7 charter, it is not clear that the current board and founding team have sufficient capacity to execute on either the pre-opening requirements necessary to acquire and fully enroll and staff a school or the goals set forth in the charter application. Staff strongly recommends that the board evaluate their previous application and founding team, research more recent developments in high quality charter school models serving a similar student population, and submit a new application in a future application cycle.

**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**SUPPORTING DOCUMENT**

**S U B J E C T: Recommendation regarding**

**NIAA Liaison**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  x /  </u>	Action

MEETING DATE: August 24, 2015

AGENDA ITEM: 11

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S):** \_\_\_\_\_

**FISCAL IMPACT:** \_\_\_\_\_

**BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):** \_\_\_\_\_

**LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 30 mins** \_\_\_\_\_

**SUBMITTED BY:** \_\_\_\_\_

**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**SUPPORTING DOCUMENT**

**S U B J E C T: Discussion of Board retreat**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  x /  </u>	Action

MEETING DATE: August 24, 2015

AGENDA ITEM: 12

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S):** \_\_\_\_\_

**FISCAL IMPACT:** \_\_\_\_\_

**BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):** \_\_\_\_\_

**LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 30 mins** \_\_\_\_\_

**SUBMITTED BY:** \_\_\_\_\_

**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**SUPPORTING DOCUMENT**

**S U B J E C T: Discussion of Director annual  
evaluation**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  x  /  </u>	Action

MEETING DATE: August 24, 2015

AGENDA ITEM: 13

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S):** \_\_\_\_\_

**FISCAL IMPACT:** \_\_\_\_\_

**BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):** \_\_\_\_\_

**LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 30 mins** \_\_\_\_\_

**SUBMITTED BY:** \_\_\_\_\_